

**Unified Government, Bill Approval,  
and the Legislative Weight of the President**

Eduardo Aleman  
[ealeman2@uh.edu](mailto:ealeman2@uh.edu)  
University of Houston

Ernesto Calvo  
[ecalvo@uh.edu](mailto:ecalvo@uh.edu)  
University of Houston

**Forthcoming in  
Comparative Political Studies**

*Abstract:* This paper proposes a new approach to measuring the legislative weight of the President and Congress based on the approval of each actor's legislative agenda. We focus on presidential systems where Presidents possess both formal authority to introduce their own bills and a variety of prerogatives to influence the passage of legislation. We argue that the legislative weight of the President varies over time in response to contextual political variables. After devising a general model to measure changes in the legislative weight of the President vis-à-vis Congress, we empirically test our propositions using data from Argentina. The results indicate that the policy and productivity weights of the President actually increase in the absence of unified government.

Most of the comparative research on presidential power published over the last twenty years considers the legislative weight of the President to be fixed and to stem from exogenously granted constitutional authority. We believe, however, that it is advantageous to consider the President's legislative influence as a latent variable with empirical and theoretical relevance. Considerable anecdotal evidence exists of varying presidential influence over time, resulting not only from fixed institutional rules regulating the conditions under which a President may propose legislation, but also from contextual factors affecting how presidents broker deals in Congress and what prerogatives actually emerge as relevant.

This paper proposes an approach to measuring the relative weight of the President vis-à-vis Congress based on lawmaking success. We concentrate on presidential systems where Presidents are formally authorized to introduce their own bills and also endowed with a variety of prerogatives to influence the passage of legislation, as is the case in all non-U.S. presidential systems. Our main argument follows, that unified government, or the lack of it, significantly affects the legislative influence of these institutional actors. More specifically, we expect the President's relative weight to increase in the absence of unified government.

Under unified government, Presidents and their co-partisans in Congress dominate the legislative agenda, ideally reaching cooperative arrangements for dividing up scarce floor time. In the absence of unified government, by contrast, Presidents retains significant formal and informal authority to push bills forward, whereas prospects for legislators grow more complex. In consequence, absence of unified government negatively affects the success rate of congressional bills to a greater degree than the success rate of presidential bills.

To test the implications of our argument, we employ a multilevel model that estimates the legislative success of the President and members of Congress, while controlling for bill, legislator, and Congress-specific variables. The dataset utilized in the empirical analysis includes all bills initiated by the President and individual legislators in the Argentine Congress between 1983 and 2001. Based on the model estimates, we construct two indicators of legislative weight (*policy* and *productivity weight*) that allow us to evaluate changes in the relative influence of the President vis-à-vis Congress over time.

The order of presentation of this article is the following: the first section discusses the concept of legislative power, emphasizing cases where the President can formally initiate bills and enjoys substantial agenda-setting powers. In the second section, we present the statistical model and the measures used in evaluating the relative legislative weight of the President: a policy weight indicator based on approval rates, and a productivity weight indicator incorporating information on the total number of laws. The third section discusses our case selection and the data used to test our arguments. Results are presented in the fourth section, illustrating that unified government increases the weight of Congress vis-à-vis the President, and that its absence tends to harm the productivity of individual legislators. The fifth section contains our conclusions.

## **1. Legislative Strength and Unified Government**

Many models of presidential politics explain legislative outcomes as the result of bargaining processes determined by the preferences of the President and Congress, as well as their institutional strength.<sup>1</sup> To test these models, a rich literature has emerged seeking to uncover

the preferences of political actors using an array of data such as roll-call votes, bill co-sponsorship data, congressional speeches, party manifestos, expert classifications, and opinion surveys. Most formal and empirical models, however, have considered the weight given to each institutional actor as being fixed and to stem from formal rules. Most comparative studies, accordingly, have sought to measure the legislative power of Presidents based on constitutional and legislative rules.

In this article we follow a different theoretical intuition about the legislative weight of the president. We believe that there is much to be gained by conceptualizing the relative weight of each institutional actor as a latent variable, sensitive to changing political contexts as well as invariant constitutional grants and rights. In presidential systems, the question of relative authority over legislative processes is a relevant and unresolved one. In most non-U.S. presidential democracies, the executive possesses significant institutional prerogatives to influence the lawmaking process, such as setting deadlines for the approval of critical bills, responding to congressional proposals with partial or amendatory vetoes, calling extraordinary sessions to consider important legislation, and introducing bills directly instead of using surrogate representatives to do so on their behalf (Shugart and Carey 1992; Cox and Morgenstern 2002; Payne et al. 2002; Tsebelis and Alemán 2005). Executive-initiated bills make presidential legislative agendas clearly distinguishable from those of individual representatives. These bills tend to benefit from the vast informational resources of the executive branch, and its predominant position in influencing crucial issue domains such as economic policy. The ability to prevent changes in policy areas where the executive holds exclusive powers of

introduction, as well as the ability to influence the scheduling of bills and the type of proposals considered on the legislative floor, provide unique opportunities for most Presidents.

This combination of positive and negative agenda power in the hands of the President causes the legislative process in most non-U.S. presidential systems to differ from that portrayed in the well-known cartel model of agenda control (Cox and McCubbins 2005), in which the key force is the majority party leadership in Congress. This lawmaking process also clearly differs from the one advanced by the floor-agenda model (Krehbiel 1998), where the scheduling of bills is unaffected by gatekeeping or strong partisan considerations.

In most presidential regimes, agenda-setting powers are shared between the President and congressional leaders. Congresses are hierarchical organizations, with party leaders occupying decisive positions that influence the plenary agenda. In all Latin American countries, for example, party leaders are tasked with scheduling legislative proposals as members of either steering committees or chamber directorates. Committee assignments, chairmanships, bill referrals and scheduling decisions are subject to bargaining among majority and minority party leaders. While many nations provide some sort of safety-valve for the plenary to challenge scheduling decisions made by the leadership, such as forcing a vote to discharge legislation from committee, mechanisms to enforce party discipline make such moves very costly (Alemán 2006). As a result, de facto agenda control rests in the hands of chamber party leaders, who use it to advance legislation they support and derail bills they dislike. However, this chamber leadership need not belong exclusively to the majority party. In many cases, congressional leadership posts are either assigned by or negotiated with the executive, providing Presidents additional clout in regulating the flow of legislation. This empowers presidential appointees to

press the President's initiatives to the floor, while working to prevent other options from ever being discussed.

While it is clear that in most presidential systems both the President and Congress share legislative power, the relative weight of each actor in actual lawmaking is not easily measured. One path common among students of comparative institutions is to construct some type of ranking derived from formal institutions, usually a summary of constitutional authority.<sup>2</sup> This often requires difficult research choices, such as selecting which powers to count, assigning scores to various prerogatives, and proposing methods to combine these different variables. This approach tends to assume that similar prerogatives have the same effects across countries and over time, with variations in congressional power usually being ignored.

We propose a different conceptualization of legislative influence derived from lawmaking, not a particular combination of formal authority. Beginning with the view that one fundamental aspect of political power stems from the ability to accomplish policy changes, we focus on the fate of policy proposals. This includes bills introduced by the President – the executive's legislative agenda – together with bills introduced by legislators – the congressional agenda. From this perspective, changes in lawmaking achievements reflect variations in the strength of each institutional actor.

As authors in the legislative literature have previously argued, we believe that bill introduction by members of Congress tends to signal voters, interest groups, and fellow politicians the author's policy positions (Mayhew 1974; Kessler and Krehbiel 1996). We recognize that each actor's policy agenda may be conceptualized in ways that go beyond their initiated bills, and that enacted proposals might not reflect the precise ideal point of the

respective actor. However, most elected politicians strive to see their legislative initiatives etched into law, and regularly stress such achievements during electoral campaigns. Presidents also spend considerable time pushing for enactment of their proposals, and are often rated according to their legislative achievements. These are purposive actors with lawmaking goals. Therefore, we consider the relative approval of each actor's agenda as an appropriate proxy for legislative power, and see the examination of changes in related indices as a fruitful way to extend the analysis of executive-legislative power beyond static constitutional prerogatives.

We develop two measures to capture institutional influence: an indicator of policy weight focusing on the approval of legislative proposals initiated by both the President and Congress, and an indicator of legislative productivity accounting for variations in the volume of legislation passed. Our measures are designed to incorporate insights from two strands of the legislative literature: the "denominator studies", which require identification of an underlying agenda from which success may be measured (Edwards III et al. 1997; Royed and Borrelli 1997; Binder 2003; Calvo 2007), and "numerator studies", which focus on counting changes from the status quo (Mayhew 1991; Krehbiel 1998).

While a positive correlation normally exists between approval rates and legislative productivity, this is not always true. For example, an increase in the number of bills proposed by all legislators in a given congressional year can result in lower success rates, although a similar number of bills are enacted as in prior years. This may result from more bills competing with each other for scarce floor and committee time. However, declining approval rates (holding the number of bill initiatives constant), will lead to a drop in legislative productivity.

This conceptualization of relative legislative power is particularly useful in evaluating changes occurring within countries and beyond the stability of formal institutions. Our main hypothesis follows that the relative influence of the President vis-à-vis members of Congress varies depending on the partisan environment in Congress. Individual legislators are more sensitive than Presidents to changes in the partisan control of Congress, and so we expect presidential weight on lawmaking to increase in the absence of unified government.<sup>3</sup>

The effect of unified government on law production rests in part on the costs to individual legislators resulting from weakening partisan congruence with the executive. Bills initiated by legislators from non-presidential parties are more likely to confront additional hurdles imposed by the President than those initiated by the President's party, including the threat of veto. Clearly, more members of Congress face this situation when the President's party is in the minority. The largest party tends to benefit from its plurality status in the chamber, but its overall advantage should not be as large absent a fellow partisan in the presidency. Both of these hypothesized effects are bill-specific, and therefore can be estimated. As will be shown in the empirical analysis, these effects can substantially impact the probability of a bill becoming law.

In addition, we expect the success of presidential legislation to be less sensitive to changes in congressional composition, and therefore to remain relatively stable despite the absence of unified government. Three main reasons exist to expect this result: first, Presidents will continue to enjoy influence over the legislative agenda. For instance, the daily agenda of the regularly scheduled "extraordinary" sessions of Congress continues to be monopolized by the executive. Not only do Presidents retain their formal constitutional prerogatives discussed

earlier, but in many cases certain leadership posts inside Congress grant the President direct influence over the flow of bills during regular sessions. Although the President cannot unilaterally determine the activity of Congress, formal prerogatives allow him to remain an effective agenda setter.

Second, the content of some bills proposed by a President may predispose many opposition legislators to support passage. As a consequence of possessing exclusive rights to initiate bills in certain policy areas and ample technical resources, many major reforms, including most bills with financial implications, are introduced by the President. Since default alternatives to passing such bills may create extensive financial hardships, many opposition legislators are predisposed to assist with their passage. While Presidents tend to be the primary proponents of major economic and administrative reforms, normally focusing on initiatives of national scope, legislators are more likely to concentrate on social policy, particularistic proposals, and initiatives with local/regional scope (Calvo and Murillo 2004; Crisp et al. 2004; Jones and Hwang 2005). This division of labor contributes to making rates of presidential bill passage less vulnerable to partisan composition shifts in Congress.

Finally, Presidents may benefit from other resources, such as the prominence of their office for important constituencies, when pushing legislation forward without a partisan majority in Congress. A minority President can still “go public” and take advantage of opportunities in the electoral cycle, as well as other contextual events, to channel popular support into legislative strength. Several works in the legislative studies literature discuss the advantages Presidents derive from popularity and electoral honeymoons in influencing policy accomplishments (Canes-Wrone and De Marchi 2002; Kernell 1997; Barrett 2004; Calvo 2007).

In sum, this section proposes an alternative conceptualization of legislative strength in Presidential systems. This is based on bill approval rates and lawmaking productivity, permitting variation within countries. As noted, the question of legislative power in non-U.S. presidential systems has not been fully resolved, and we argue that our conceptualization provides additional leverage in studying this important question. Finally, we hypothesized that during periods of unified government, the legislative weight of the President vis-à-vis Congress should decline. In the next section, we elaborate further on our measures and the associated statistical model employed to test our arguments.

## **2. Legislative Success and Productivity: A Model**

We can consider bill approval as being shaped by political processes at two different levels: at the floor level, the legislative success of the executive, deputies, and senators is explained by effects that can be characterized as bill-specific. For instance, Presidents may press their prioritized agenda by introducing initiatives in a particular chamber, or emphasizing policy matters where they enjoy some advantage (e.g. privileged information, expertise, or resources). Likewise, individual legislators can mobilize peer support for a proposal or take advantage of partisan resources to move bills, while party leaders may force floor votes at critical times or delay bills in multiple committees. Second, legislative success at the aggregate level is influenced by contextual political processes. Factors such as the public's perception of the executive or the electoral cycle may affect the passage of legislation, and the hierarchical nature of these effects makes a multilevel model appropriate for estimating legislative success.

A two-level model can account for these different influences when calculating our measures of policy weight and legislative productivity introduced before.

Figure 1 provides an intuitive overview of the full model, with success rates  $\pi$  for the President and individual representatives being calculated separately. For each institutional actor, legislative success is estimated using a matrix of explanatory variables, including individual and aggregate-level factors. The parameter  $\alpha_p$  captures the mean approval rate for presidential bills, while  $\alpha_c$  does the same for congressional bills. We then combine these results to calculate relative policy weight.

[Figure 1 about here]

More specifically, we model success as a hierarchical process. At the individual level, we observe the approval of a bill proposed by a sponsor rather than the true underlying probability associated with each actor. The mean bill approval rate for different institutional actors and congressional periods is captured by a random intercept explained by other aggregate-level factors. We can describe this General Linear Multi-Level Model using the usual notation:

$$y_{ik} \sim \text{Bern}(\theta_{ik})$$

$$\ln \left[ \frac{\theta_{ik}}{1 - \theta_{ik}} \right] = \alpha_k + \sum_t \beta_t X_{tik}, \quad i = 1, \dots, n; \quad k = 1, \dots, K; \quad t = 1, \dots, T$$

$$\alpha_k \sim \mathcal{N}(\sum_j \lambda_j Z_{jk}, \sigma_\alpha^2), \quad k = 1, \dots, K; \quad j = 1, \dots, J \quad \text{Eq. (2.1)}$$

Where  $y_{ik}$  is a dummy variable taking the value of 1 if the initiative  $i$  was approved by Congress  $k$ ,  $\sum_t \beta_t X_{tik}$  describes the first-level set of parameters and explanatory variables for individual-level variation in bill approval. Using  $\alpha_k$  as a random intercept capturing the mean bill approval

rate for Congress  $k$ ,  $\sum_j \lambda_j Z_{jk}, \sigma_\alpha^2$  represents a set of parameters and variables explaining aggregate-level variation in approval rates. The first-level logistic equation examines approval for individual bills within a congressional period, while the second-level normal equation<sup>4</sup> explains across-Congress variation in bill approval rates for each of the nineteen congressional periods.<sup>5</sup> In estimating this model, we use WinBUGS<sup>6</sup> with non-informative priors for all hyperparameters.

Finally, we measure the relative policy weight<sup>7</sup> of the President vis-à-vis Congress by comparing  $\alpha_{ck}$  and  $\alpha_{pk}$ , and compute the relative productivity rate by weighting the number of bills introduced by each actor:

$$policy\ weight = \ln \left( \frac{e^{\alpha_{pk}} / (1 + e^{\alpha_{pk}})}{e^{\alpha_{ck}} / (1 + e^{\alpha_{ck}})} \right) \quad (2.2)$$

$$productivity\ weight = \ln \left( \frac{N_{pk}}{N_{ck}} * \frac{e^{\alpha_{pk}} / (1 + e^{\alpha_{pk}})}{e^{\alpha_{ck}} / (1 + e^{\alpha_{ck}})} \right) \quad (2.3)$$

In the following section, we apply these measures to the legislative case of Argentina.

### 3. Empirical Analysis

Argentina presents an appropriate case to demonstrate the applicability of our measures, and provide an initial test for our proposition that the policy weight of the President is sensitive to changes in the congressional partisan environment. Argentina matches our description of a non-U.S. presidential system where the executive enjoys substantial constitutional prerogatives, as well as the authority to introduce bills directly. In terms of formal institutional powers, the Argentine Presidency ranks somewhere in the middle of the Latin American set. In

recent rankings that include a variety of “reactive” and “proactive” prerogatives, the Argentine presidency scores near the South American average, only slightly above Mexico and the Central American nations (IADB 2006: table 3.5). In a different work focusing on the “conditional agenda setting power” of Presidents derived from details of veto rules, Tsebelis and Alemán (2005) also rank Argentina near the middle of the distribution. Moreover, Argentina is one of the few presidential nations that recently saw a period of unified government,<sup>8</sup> and among the few countries where complete records of each bill introduced by the President and Congress are available to researchers.

Since returning to democracy in 1983, Argentina has seen two major political parties, the Peronist “Justicialista” Party (PJ), and the Radical Civic Union (UCR), competing with a host of smaller parties. Both the PJ and UCR have captured the presidency more than once since democratization. In the Chamber of Deputies, the UCR share of seats has ranged from 51.2% (1985-87) to 26.5% (1997-99), while the share of PJ seats has run from 52.1% (1995-97) to 38.9% (1999-2001) (Jones 2002). In the Senate, the PJ maintained a plurality from the return to democracy in 1983 until the election of 1989, when it captured a majority. Other relevant parties in the Argentine Congress include provincial parties that tend to compete in only one province, as well as smaller parties with a more irregular presence than the provincials, such as the UCeDe (center-right) and Frepaso (center-left).

[Table 1 about here]

Table 1 presents aggregate legislative success rates and total legislative productivity in the Argentine Congress. As may be seen, Presidents enjoy moderate rates of legislative success, on

average seeing approval of just over half the bills they propose. In contrast, legislative success is relatively low for bills initiated by individual legislators, comprising about five percent of legislation introduced in Congress. However, individual legislators initiate many more bills than the President. As a result, while Presidents display much higher rates of legislative success, executive legislative productivity is some 20% less than that of representatives. Table 1 also points out that PJ legislators have had greater success than their UCR counterparts, with both faring better than most legislators from smaller parties. Success rates are considerable higher for legislation initiated in the Senate, representing a regularity observed across the board for all political actors, including non-Peronist parties that have never controlled a plurality of Senate seats. While legislative success appears considerably higher for legislation introduced in the Senate, productivity favors the Chamber of Deputies – partly resulting from a larger number of bills being proposed in a chamber containing three times more members than the Senate.<sup>9</sup>

[Figure 2 about here]

Since 1983, significant variation can be observed in regard to both legislative success and productivity. As can be observed in the two panels of Figure 2, legislative success for members of Congress hovered between four and ten percent after 1984, while legislative productivity has gradually increased since 1985.

Between 1983 and 2001, nearly 124,000 public and private bills were formally proposed in Congress. Among these, 30,024 were substantive bills submitted by Senators, Deputies, and the executive, while approximately 94,000 were private bills holding only symbolic value.<sup>10</sup> Among the 30,024 public bills are 2,384 executive initiatives, with 650 of these informing Congress of

the promulgation of an executive decree. Absent these, the rate of approval for the remaining 1,739 initiatives is 54%. By eliminating those bills that (i) request authorization for the President to leave the country, (ii) seek confirmation for presidential appointees, and (iii) request ratification of good-will international treaties, our sample is left with 1,004 legislative initiatives, 51% of which were approved by Congress during the 1983-2001 period. The remaining 27,640 bills were introduced by individual Deputies and Senators, with co-sponsorship ranging from zero to sixty-one.

In measuring legislative success, we employ a nominal dependent variable that is scored 1 if a bill was approved by both the House and Senate, and 0 otherwise. As described (2.1), the aggregate-level dependent variable represents the latent bill approval rate after we control for individual-level factors, comprising the natural interpretation of the random intercept in our model.

A number of vital covariates exist that have substantive political interpretation, and merit incorporation into the estimation. Therefore, we include covariates that the legislative literature describes as exerting influence on the passage of legislation.<sup>11</sup>

This model of executive success incorporates nine individual and contextual variables. Following prior research on presidential legislative success, we expect greater partisan support (Binder 1997, 2003; Edwards III et al. 1997) and favorable public approval of the President (Calvo 2007; Carnes-Wrone and Marchi 2002; Altman 2000) to be associated with higher success rates. We also include variables capturing the effects of the electoral cycle. As previously noted, Presidents tend to enjoy a particularly favorable scenario during their first year in office, and face harder times at the end of their terms (Carey 1997, Lockerbie et al.

1998; Edwards III, et al. 1997). Two variables measure the number of committees a bill is referred to, given that multiple referrals tend to erect additional barriers to a floor vote (Davidson et al. 1998). A dummy variable controls for the chamber where the bill originated, as structural and procedural differences between chambers have been shown to influence the fate of presidential bills (Lockerbie et al. 1998). Another dummy variable controls for economic legislation: while conventional wisdom holds that Presidents enjoy particular advantages in advancing these bills, proposals with relevant economic implications also have higher visibility and tend to be more controversial. Finally, we include a variable indicating the number of executive decrees issued per year to control for the possibility that extensive decree usage might reduce the President's impetus to seek statutory passage for his agenda.<sup>12</sup>

The model of legislative success for bills introduced by members of Congress contains nineteen individual and contextual variables. Five variables control for the partisan orientation of the bill author: PJ, UCR, Frepaso (Left), UCeDe (Right) and Provincial Parties.<sup>13</sup> Another variable controls for the presidential party, with two interaction terms measuring the effect of a co-partisan serving in the executive office. As mentioned previously, we expect bills introduced by members of the President's party to have a higher probability of approval than those advanced by members of the opposition.<sup>14</sup> Two additional variables measure the size of a bill author's party delegation, and whether they belong to the chamber majority. We expect smaller delegations and minority status to hinder the success rate of legislators. Another pair of variables identify legislators holding positions of authority (committee chairs and chamber leaders), along with those possessing longer tenure to control for possible advantages enjoyed by experienced and well-positioned members. Another variable measures the total number of

bills introduced by an author during a congressional year, since higher numbers could tend to reduce success rates.

This model of legislative success for bills introduced by members of Congress also incorporates variables measuring the number of bill co-sponsors, and whether these belong to more than one party. While additional co-sponsors should signal broader support and increase the likelihood of passage, it is less clear to what extent proposals introduced by members of two or more parties are more likely to succeed. On one hand, cross-partisanship may signal broad agreement and/or a non-ideological proposal, while on the other hand, seeking support outside one's party may reflect a bill author's inability to find support among fellow party members. In addition, we include a variable capturing the number of days until the next congressional election. Given that the electoral calendar is not always identical across provinces, the number of days until election varies among legislators from different provinces. Overall, we expect a decline in productivity as the election nears, with legislators and their provincial bosses concentrating on campaign-related activities in their districts. Finally, we add three controls also present in our model of presidential success: the chamber where the bill originated, the first year of a President's term, and public image ratings of the President.

#### **4. Results**

Table 2 presents the results of the multilevel model described earlier (2.1) using the Argentine data. The first two columns show estimates of legislative success for initiatives sponsored by Deputies and Senators, while column three presents estimates of legislative success for presidential bills. We will begin with a brief discussion of the control variables, and

move on to examine how the two indicators we introduced – policy weight and productivity weight – vary with the presence or absence of unified government.

The success model for Deputies and Senators illustrates that initiatives proposed by members of a plurality party are more likely to succeed than those of members of smaller parties. More importantly, such success is enhanced when the President is from the same political party. These differences in success rates are statistically and substantively significant: for example, setting all non-partisan independent variables to their average, a Deputy from the UCR will find approval for 3.9% of their initiatives when a co-partisan controls the executive. In contrast, facing a Peronist President slashes this success rate to 1.4%, even if the UCR controls a plurality of the chamber's seats.

As expected, the number of bills initiated by a representative is negatively related to their success rate. This is to be expected, as legislators who initiate large numbers of bills often lack the political capital necessary to push them all through the legislative pipeline. We also find that bills with larger numbers of co-sponsors enjoy higher success rates. For example, setting all non-partisan variables to their mean, a UCR Deputy with a co-partisan in the executive would see approval of 3.2% of the initiatives they introduce alone. However, an increase in the number of co-sponsors from one to five would improve this success rate to 4%.

Table 2 points out that legislative authority positions and seniority render the expected positive and statistically significant effect. Bills introduced by rank-and-file first-time members, consequently, are considerably less likely to be approved. For example, a freshman UCR Deputy with a co-partisan in the executive will find approval for 1.8% of their initiatives. After serving four years in the chamber, this success rate would nearly double to 3.7%. If they were then

appointed to preside over a committee, this success rate would further increase to 4.7%. Our results also indicate that party delegation size has no statistically significant effect when we control for whether a representative belongs to the plurality party in the chamber. Finally, contrary to our expectations, the proximity of election had no statistically significant effect on the relative success of legislators.

[Table 2 about here]

Table 2 also provides information on the determinants of legislative success for the President. These estimates indicate that improvement in the President's positive image among voters has a positive and significant effect on presidential legislative success, and a negative impact on success rates of legislators. Popular Presidents can more easily muster support for their own bills, and may crowd out the agendas of legislators. These two effects highlight how Deputies and Senators respond to changes in public mood. We also find that bills introduced in the Senate are more likely to pass, and contrary to conventional wisdom, presidential bills on economic matters are less likely to pass than other bills.

It is worthy of note that changes in congressional partisan support have no statistical effect on legislative success for executive initiatives. Not only is the coefficient for partisan support statistically insignificant, it also exhibits the wrong sign. Such findings suggest that the President is less sensitive to changes in the composition of Congress than individual legislators, who are impacted both by changes in the plurality party and whether the President is a co-partisan. This relevant finding helps explain why the absence of unified government exerts a milder effect on presidential legislative success.

While the variables explaining legislative success deserve significant attention, our interest in this article centers on the estimates from equations (2.2) and (2.3), which measure the policy weight of the President and compare productivity rates of the President, Deputies, and Senators. Table 3 presents the relative success rate of members of Congress, as well as the President. It also displays policy weight ratios for each congressional period.

[Table 3 about here]

The alphas for both the President and legislators can be easily translated into probabilities. For example, in 1985 President Alfonsín possessed a latent success rate of  $\alpha_p = .26$ , equivalent to 56.4% after the proper calculations ( $e^{.26}/(1 + e^{.26}) = .564$ ). In that same period, legislators held a latent success rate of  $\alpha_p = -3.6$ , equivalent to approval of 2.66% of their initiatives. As may be observed, in the third congressional year after democratization, success rates were comparatively high for the President and low for individual legislators.

The President's alphas also provide interesting information concerning variations in legislative success for different presidents and over time. President Raul Alfonsín (UCR, 1983-1989), for example, enjoyed great legislative success during the first two years of his administration. Much of the proposed legislation was intended to replace policies inherited from the past military regime, and enjoyed broad support extending beyond Alfonsín's own party. In contrast, President Carlos S. Menem's (PJ, 1989-1999) legislative success was comparatively low early on, but increased rapidly after 1992 when high public job approval ratings helped him to mobilize support from his own party. Interestingly, a different picture emerges when analyzing the success of legislators. For example, when Peronists controlled the

Senate during the 1980s and the UCR held the lower chamber, members of Congress had considerably more difficulty passing their initiatives. Consequently, the success of legislators in that period lagged far behind that of President Alfonsín.

The measure of policy weight shown in Table 3 captures these variations in the relative success rate of the President vis-à-vis Congress. The average policy weight ratio is 2.32 in favor of the President, meaning that on average the presidential success rate was 10.2 times higher than for individual representatives when we control for floor-level variables. Presidential success rates are higher for all congressional periods examined, with the lowest policy weight (1.68) reported in the 1990 period (about 5.3 times greater). However, considerable variance exists in our measure of policy weight across congressional periods.

It could be argued that this higher relative success of Presidents vis-à-vis individual legislators reflects the fact that many legislators may not see introducing bills as their central activity. Some legislators may primarily focus on activities for which Congress provides logistical support, such as servicing constituencies in the provinces or party building. As eloquently described by Jones et al. (2002), Argentina's professional politicians are often amateur legislators. From our perspective, this behavior further enhances the relative policy weight of the President. However, as noted earlier, the overwhelming majority of bills are introduced by individual representatives. Our measure of productivity weight (equation 2.3) incorporates not only the success rate of each type of actor, but also how much legislation they introduce.

To illustrate the influence of unified government on both of these indicators, Figure 3 displays changes in the relative strength of the President over time. The upper panel plots the relative policy weight of the President as in equation (2.2), while the lower panel depicts the

relative productivity weight of the President as in equation (2.3). The dashed vertical lines indicate the period of unified government.

[Figure 3 about here]

As can be observed, both the policy weight and productivity rate of the President increase in the absence of unified government. Prior to the 1989 election and following the 1999 election, the lack of unified government coincided with periods of greater presidential influence on legislative output. Such findings, which buttress our argument, highlight the legislative advantages derived by members of Congress from unified government, as well as the relative resilience of the President's legislative program in the face of adverse partisan environments. In comparing the two graphs, it is important to note that while presidential success rates are very high, fewer presidential initiatives are enacted into law than congressional initiatives during most of the period.

## **5. Concluding Remarks**

This paper proposes an alternative approach to measuring and interpreting the legislative influence of the President vis-à-vis Congress. We present two indicators focusing on the legislative accomplishments of different institutional actors without depending on classifying fixed formal prerogatives, as was common in past research. To this end, we conceptualize the policy weight of the President as a latent variable with substantive theoretical importance, and estimate it via a mixture model combining the success rates of the President and party members in Congress.

Employing data from Argentina, we examine how approval of bills initiated by the President and members of Congress is affected to varying degrees by the absence of unified government. Our model results indicate that individual representatives from the plurality party suffer significant declines in legislative success when facing an executive of a different political party. Contrary to conventional wisdom, we also find that the lack of unified government impacts the relative success rates of individual representatives to a greater degree *vis-à-vis* the legislative success rate of the President. Moreover, we illustrate that minority Presidents did not see significantly different success rates than Presidents enjoying majority support in both chambers of Congress. Our analysis suggests that such influence on the part of minority Presidents creates difficulties for members of Congress seeking to advance their own proposals. One consequence of such differentiated sensitivity to unified government is that legislator's policy-making capacities actually expand during periods of unified government, and contract in its absence.

We believe that the measures introduced in this paper – policy and productivity weight – are particularly useful when examining changes occurring within countries, as exemplified in our analysis of Argentina. While our interest centered on unified government, these same measures can also prove useful in examining other hypotheses concerning variations in presidential legislative influence. Did Presidents lose legislative power after universal suffrage was fully attained, or did members of Congress suffer most? Does a negative correlation exist between long-term trends depicting increases in congressional institutionalization and presidential influence on lawmaking? Our measures can serve to illuminate these and other questions concerning the changing legislative power of the President.

## References

- Alemán, E. (2006). "Policy Gatekeepers in Latin American Legislatures," *Latin American Politics and Society*, 48(3), 125-155.
- Barrett, A. W. (2004). "Gone Public," *American Politics Research*, 32(3), 338-370.
- Binder, S. A. (1999). "Dynamics of Legislative Gridlock, 1947-1996," *American Political Science Review*, 93(3), 519-533.
- Binder, S. A. (2003). *Stalemate: Causes and Consequences of Legislative Gridlock*. Washington D.C.: Brookings Institution.
- Bond, J. R. & Fleisher, R. (1990). *The President in the Legislative Arena*. Chicago: University of Chicago Press.
- Calvo, E. (2007). "The Responsive Legislature: Public Opinion and Law Making in a Highly Disciplined Legislature," *British Journal of Political Science*, 37(2), 263-280.
- Calvo, E. & Murillo, V. (2004). "Who Delivers? Partisan Clients in the Argentine Electoral Market," *American Journal of Political Science*, 48(4), 742-757.
- Cameron, C. M. (2000). *Veto Bargaining: Presidents and the Politics of Negative Power*. Cambridge: Cambridge University Press.
- Campbell, J. E. (1982). "Cosponsoring Legislation in the U.S. Congress," *Legislative Studies Quarterly*, 7(3), 415-422.
- Canes-Wrone, B. & de Marchi, S. (2002). "Presidential Approval and Legislative Success," *The Journal of Politics*, 64(2), 491-509.
- Carey, J. M. (2007). "Competing principals, political institutions, and party unity in legislative voting," *American Journal of Political Science*, 51(1), 92-107.

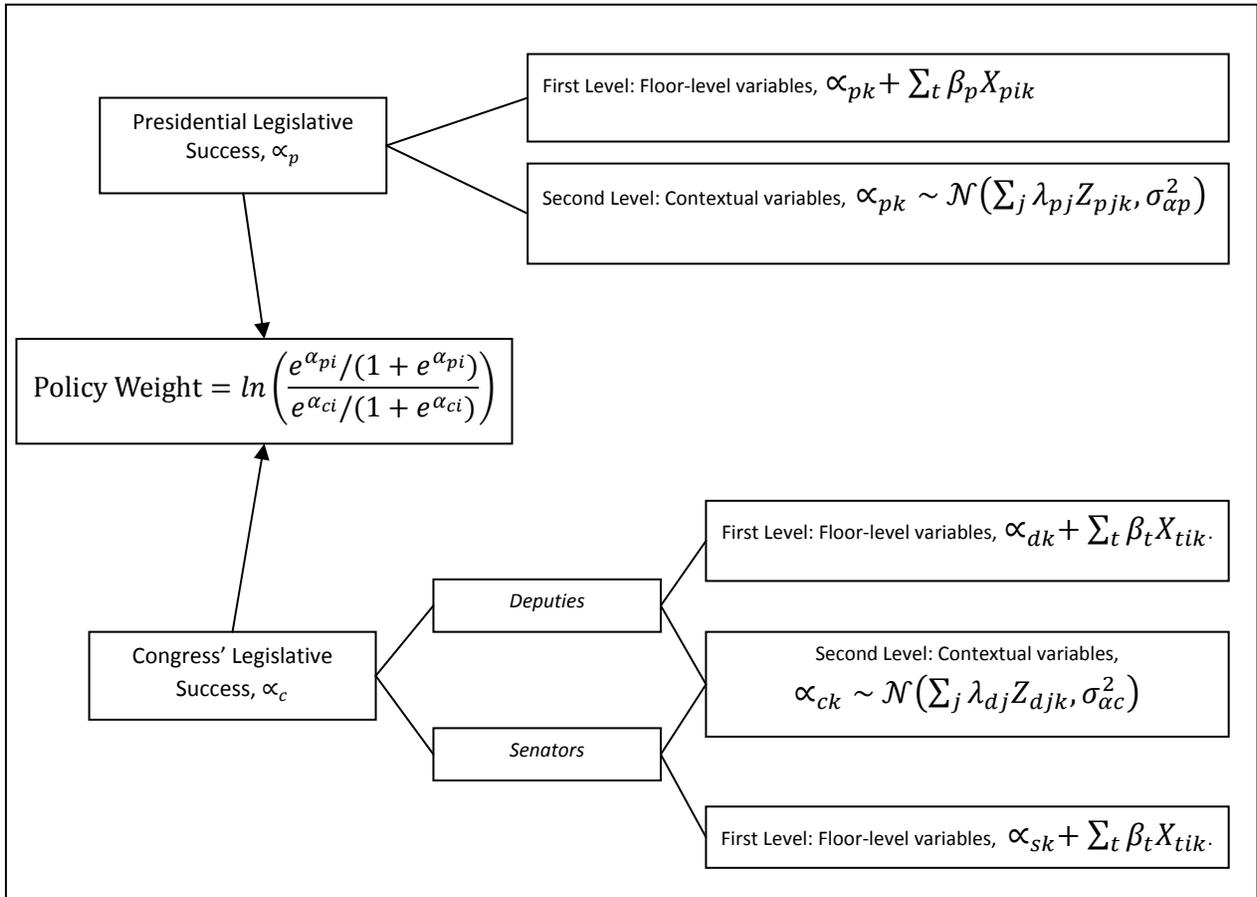
- Cheibub, J. A., Przeworski, A., & Saiegh S. M. (2004). "Government Coalitions and Legislative Success under Presidentialism and Parliamentarism," *British Journal of Political Science*, 34, 565-587.
- Cox, G. W. & McCubbins, M. (2005). *Setting the Agenda*. New York: Cambridge University Press.
- Cox, G. W. & Morgenstern, S. (2002). "Epilogue: Latin America's Reactive Assemblies and Proactive Presidents." In S. Morgenstern and B. Nacif (Eds.), *Legislative Politics in Latin America*. New York: Cambridge University Press.
- Crisp, B., Escobar-Lemmon, M. C., Jones B. S., Jones, M. P., & Taylor-Robinson, M. (2004). "Vote-seeking incentives and legislative representation in six presidential democracies," *The Journal of Politics*, 66(3), 823-46.
- Cutler, L. (1988). "Some Reflections about Divided Government," *Presidential Studies Quarterly* 17, 485-492.
- Davidson, R. H., Oleszek, W. J. & Kephart, T. (1998). "One Bill, Many Committees: Multiple Referrals in the U.S. House of Representatives," *Legislative Studies Quarterly*, 13(1), 3-28.
- Edwards III, G. C., Barrett, A. & Peake, J. (1997). "The Legislative Impact of Divided Government," *American Journal of Political Science*, 41(2), 545-563.
- Fiorina, M. (1988). "The Reagan Years: Turning to the Right or Groping Toward the Middle." In B. Cooper et al., (Eds.), *The Resurgence of Conservatism in Anglo-American Democracies*. Durham, N.C.: Duke University Press.

- Fiorina, M. (1996). *Divided Government*. 2<sup>nd</sup> Edition. Needham Heights, MA: Allyn & Bacon.
- Frantzich, S. (1979). "Who Makes our Laws? The Legislative Effectiveness of Members of Congress," *Legislative Studies Quarterly*, 5(3), 409-428.
- Gibson, E. L. (1996). *Class and Conservative Parties: Argentina in Comparative Perspective*. Baltimore: Johns Hopkins University Press.
- Hammond, T. H. & Miller, G. J. (1987). "The Core of the Constitution," *American Political Science Review*, 81(4), 1155-1174.
- Hibbing, J. R. (1991). *Congressional Careers: Contours of Life in the U.S. House of Representatives*, Chapel Hill, N.C.: University of North Carolina Press.
- Howell, W., Adler, S., Cameron, C., & Riemann C. (2000). "Divided Government and the Legislative Productivity of Congress, 1945-94," *Legislative Studies Quarterly*, 25(20), 225-312.
- Inter-American Development Bank. (2006). *The Politics of Policies: Economic and Social Progress in Latin America: 2006 Report*. Cambridge, MA: Harvard University David Rockefeller Center for Latin American Studies.
- Jones, M. P. (2002). "Party Discipline in the Argentine Congress," in S. Morgenstern and B. Nacif (Eds.), *Legislative Politics in Latin America*, Cambridge: Cambridge University Press, 147-184.
- Jones, M. P. & Huang W. (2005). "Party Government in Presidential Democracies: Extending Cartel Theory Beyond the U.S. Congress," *American Journal of Political Science*, 49(2), 267-82.

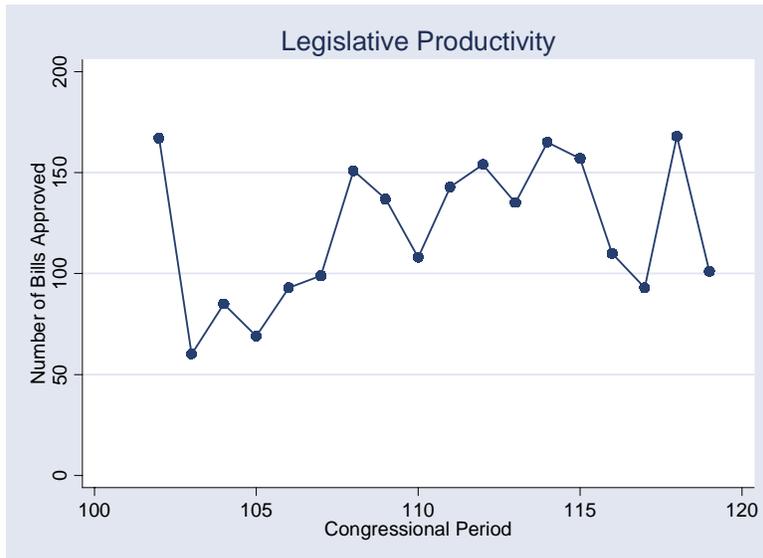
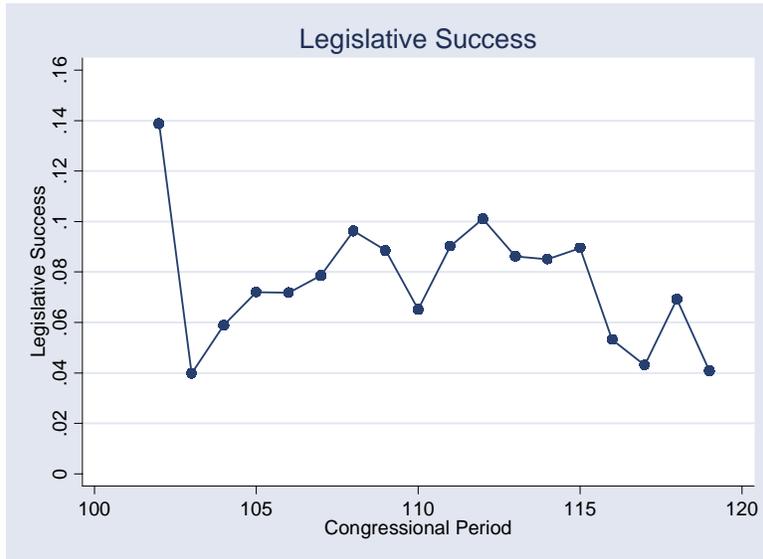
- Jones, M.P., Saiegh, S. M., Spiller, P. T., & M. Tomassi. (2002). "Amateur Legislators-Professional Politicians: The Consequences of Party-Centered Electoral Rules in a Federal System," *American Journal of Political Science*, 46(3), 356-369.
- Kernell, S. (1997). *Going Public: New Strategies of Presidential Leadership*. 3<sup>rd</sup> Edition. Washington, D.C.: CQ Press.
- Kessler, D. & Krehbiel K. (1996). "Dynamics of Cosponsorship," *American Political Science Review*, 90(3), 555-566.
- Krehbiel, K. (1998). *Pivotal Politics: A Theory of US Lawmaking*. Chicago: University of Chicago Press.
- Lockerbie, B., Borrelli, S. & Hedger, S. (1998). "An Integrative Approach to Modeling Presidential Success in Congress," *Political Research Quarterly* 51(1), 155-172.
- Mayhew, D. (1974). *Congress: The Electoral Connection*. New Haven: Yale University Press.
- Mayhew, D. (1991). *Divided we govern: party control, lawmaking, and investigations, 1946-1990*. New Haven: Yale University Press.
- Metcalf, L. K. (2000). "Measuring Presidential Power," *Comparative Political Studies*, 33(5), 661-685.
- Moore, M. K. and Thomas S. (1990). "Explaining Legislative Success in the U.S. Senate: The Role of the Majority and Minority Parties," *Western Political Quarterly*, 45, 53-60.
- Payne, J. M., Zovatto, D.G., Carrillo Flórez, F. & Allamand Zavala, A. (2002). *Democracies in Development: Politics and Reform in Latin America*. Baltimore: Johns Hopkins University Press.

- Pereira, C., Power, T. J. & Rennó L. (2005). "Under What Conditions Do Presidents Resort to Decree Power?" *The Journal of Politics*, 67(1), 178-200.
- Royed, T. J., & Borrelli S. A. (1997). "Political Parties and Public Policy: Social Welfare Policy from Carter to Bush," *Polity*, 24 (summer), 436-439.
- Shugart, M. S., & Carey J. M. (1992). *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*. Cambridge: Cambridge University Press.
- Spiegelhalter, D., Thomas, A., Best N., & Lunn, D. (2003). WinBUGS User Manual 1.4, Cambridge UK. <http://www.mrc-bsu.cam.ac.uk/bugs>.
- Sundquist, J. (1988). "Needed: A political theory for the new era of coalition government in the U.S." *Political Science Quarterly*, 103, 613-635.
- Taylor-Robinson, M. M., & Diaz C. (1999). "Who gets Legislation Passed in a Marginal Legislature? A Study of the Honduran Congress," *Comparative Political Studies*, 32(5), 590-626.
- Tsebelis, G. (2002). *Veto Players: How Political Institutions Work*. Princeton: Princeton University Press.
- Tsebelis, G. & Alemán E. (2005). "Presidential Conditional Agenda Setting Power in Latin America," *World Politics*, 57(3), 396-420.
- Wilson, R. K., & Young C. D. (1997). "Cosponsorship in the U.S. Congress," *Legislative Studies Quarterly*, 23(1), 25-43.

**Figure 1: Legislative Success and Policy Weight**

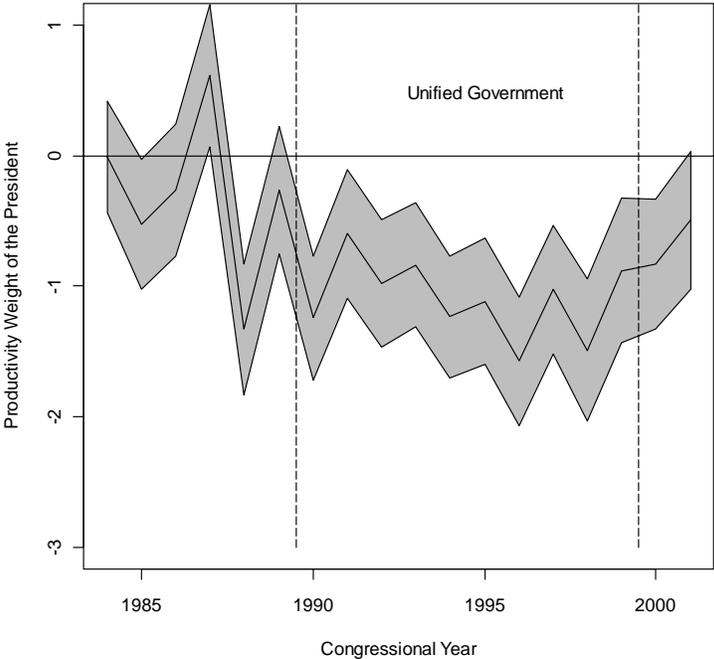
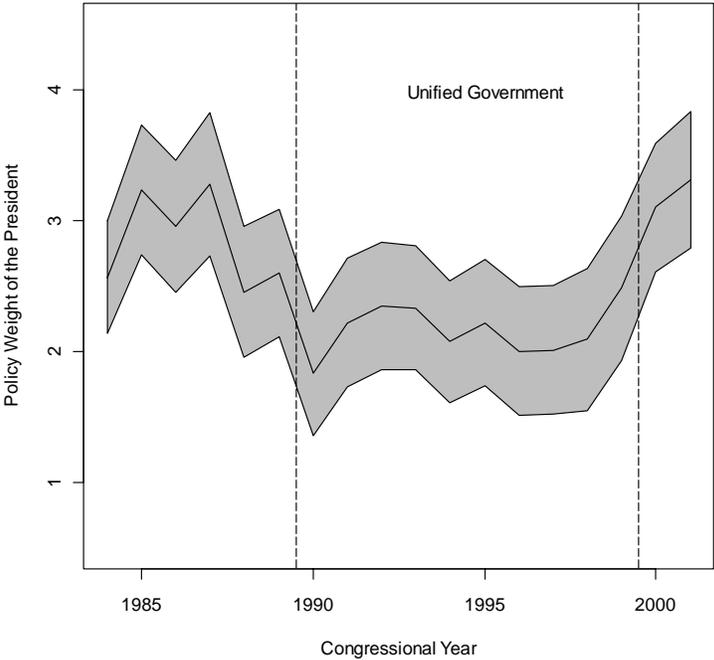


**Figure 2: Legislative Success and Legislative Productivity, Members of Congress, 1984-2001.**



*Note:* Observations for Congress 101 (1983) were eliminated to facilitate readability. This congressional period included only legislation introduced in December of 1983, during the initial month of the democratic period.

**Figure 3: Policy and Productivity Weights of the President**



*Note:* These represent estimates from equations (1.3) and (1.4). The grey area indicates the [20,80] interval.

Table 1

**Legislative Success by Chamber of Origin**

Initiator	Bills Introduced	Bills Passed	Success Rate
<b>Executive</b>			
Ch. of Deputies	919	376	<b>40.9%</b>
Senate	919	566	<b>61.6%</b>
<b>Legislators</b>			
Ch. of Deputies	20,635	780	<b>3.8%</b>
Senate	5,484	432	<b>7.9%</b>
<b>PJ</b>			
Ch. of Deputies	9,007	402	<b>4.5%</b>
Senate	2,937	257	<b>8.8%</b>
<b>UCR</b>			
Ch. of Deputies	6,668	271	<b>4.1%</b>
Senate	1,818	131	<b>7.2%</b>
<b>Others</b>			
Ch. of Deputies	4,960	107	<b>2.2%</b>
Senate	729	44	<b>6.0%</b>

**Table 2: Determinants of Legislative Success**

Deputies & Senators		Deputies & Senators		President	
FREPASO Legislator	-0.534 (0.417)	Number Bills Introduced by Legislator (LN)	<b>-0.37</b> (0.041)	Initiated in the Senate	<b>1.262</b> (0.160)
Peronist (PJ) Legislator	<b>0.295</b> (0.402)	Size of Party Delegation (LN)	-0.1 (0.074)	Number of Committees (Deputies)	0.032 (0.078)
Provincial Party Legislator	<b>0.319</b> (0.198)	Initiated in the Senate	<b>0.858</b> (0.087)	Number of Committees (Senate)	-0.13 (0.103)
UCeDe Legislator	<b>-0.633</b> (0.362)	Number of Co-Sponsors (LN)	<b>0.166</b> (0.048)	Economic Legislation	<b>-0.37</b> (0.210)
UCR Legislator	<b>0.758</b> (0.427)	Belongs to Coalition	Plurality <b>0.304</b> (0.140)		
Peronist President (PJ)	<b>-0.4463</b> (0.241)				
		N-Observations	25,510	N-Observations	1,008
President PJ* Legislator PJ	<b>0.416</b> (0.203)	<b>Deputies &amp; Senators</b>		<b>President</b>	
		<b>Second Level Equation</b>		<b>Second Level Equation</b>	
President PJ* Legislator UCR	<b>-0.661</b> (0.210)	Honeymoon Year	<b>0.631</b> (0.315)	Partisan Support in Congress	-1.371 (1.041)
Multi-Block Proposal	<b>0.798</b> (0.096)	Positive image of the President	<b>-1.878</b> (0.714)	Honeymoon year	0.271 (0.267)
Position of Authority	<b>0.264</b> (0.068)			Last year of Presidency	-0.267 (0.347)
Tenure (LN)	<b>0.124</b> (0.039)			Positive image of the President	<b>1.706</b> (0.803)
Days until Next Congressional Election	-0.0014 (0.001)	Deviance	10150.0	Ratio of Decrees	-0.635 (1.016)
		N-Observations	19	N-Observations	19

*Note:* Estimates from equation (2.1) on all laws initiated in the Argentine Congress, 1983-2001. Replication material may be downloaded from <http://calvo.polsci.uh.edu/>. Alternative ML specification to estimate separate models for the President and Deputies using R 2.7 (LMER) available upon request.

**Table 3: Legislative Success and Policy Weight of the President**

Year	Mean Success (Legislators)	Mean Success (President)	Policy Weight	Year	Mean Success (Legislators)	Mean Success (President)	Policy Weight
1983	-----	1.10		1992	-2.80	-0.08	2.12
	-----	(0.36)			(0.29)	(0.35)	(0.33)
1984	-2.60	1.00	2.36	1993	-2.70	0.09	2.12
	(0.25)	(0.31)	(0.25)		(0.29)	(0.32)	(0.32)
1985	-3.60	0.26	3.06	1994	-2.50	0.01	1.89
	(0.28)	(0.36)	(0.32)		(0.28)	(0.35)	(0.31)
1986	-3.50	-0.09	2.79	1995	-2.80	-0.13	2.10
	(0.27)	(0.35)	(0.33)		(0.28)	(0.35)	(0.33)
1987	-3.70	0.15	3.10	1996	-2.60	-0.29	1.82
	(0.32)	(0.29)	(0.34)		(0.28)	(0.35)	(0.33)
1988	-3.00	-0.13	2.29	1997	-2.70	-0.51	1.78
	(0.26)	(0.33)	(0.30)		(0.28)	(0.31)	(0.33)
1989	-3.00	0.10	2.40	1998	-3.10	-0.96	1.86
	(0.29)	(0.31)	(0.31)		(0.29)	(0.36)	(0.39)
1990	-2.40	-0.22	1.68	1999	-3.50	-0.89	2.30
	(0.28)	(0.34)	(0.33)		(0.29)	(0.33)	(0.37)
1991	-2.80	-0.33	1.99	2000	-3.50	0.12	2.89
	(0.28)	(0.32)	(0.34)		(0.26)	(0.34)	(0.31)
				2001	-4.00	-0.29	3.17
					(0.28)	(0.34)	(0.33)

Note: Estimates from equations (2.2) and (2.3). Replication material may be downloaded from [www.\\_\\_\\_\\_\\_.edu](http://www._____.edu). Alternative ML specification to estimate separate models for the President and Deputies using R 2.7 (LMER) available upon request.

## Footnotes

---

<sup>1</sup> See for example Tsebelis (2002), Cameron (1997), Krehbiel (1998), and Cox & McCubbins (2005).

<sup>2</sup> Examples include Shugart and Carey (1992); Metcalf (2000); Payne et al. (2002); IADB (2006).

<sup>3</sup> As Cheibub, Przeworski and Saiegh (2004, 573) note, divided government “is almost exclusively an American peculiarity”. We focus on situations where the President lacks a majority (or plurality close to a majority) in one or both chambers, and not on instances where an opposition party controls both chambers.

<sup>4</sup> Note that the random intercept has been logistically transformed in the first level. Therefore, the second-level estimate of  $\alpha$  should be interpreted as the log-odds mean bill approval ratio. The second-level equation is normal.

<sup>5</sup> One congressional period per year, including all types of sessions.

<sup>6</sup> David Spiegelhalter, Andrew Thomas, Nicky Best, and Dave Lunn. *WinBUGS User Manual 1.4*, (Cambridge UK, 2003).

<sup>7</sup> We employ the exponential of the legislative success ratios to guarantee that values are positive.

<sup>8</sup> If we consider Latin American countries since 1990, Peru under Fujimori, Mexico before 1997, and Venezuela since 2000 may be challenged on democratic grounds. Other countries with some years of unified government include Colombia, Costa Rica, Dominican Republic, Guatemala, and Honduras, as well as Venezuela in the early 1990s.

<sup>9</sup> Before 1995, when the number of Senate seats increased from 48 to 72, the ratio of Deputies to Senators was 5 to 1.

<sup>10</sup> These “private bills” are generally entered as resolutions or declarations. Over 30% of such declarations request that members of the cabinet or the President provide legislators with policy specific reports (“Pedido de Informes”).

---

<sup>11</sup> Our list of covariates, while to our knowledge the most comprehensive so far used in analyzing of a non-U.S. presidential system, does not pretend to be exhaustive. Although we believe that including additional covariates in some cases may improve model fit, we remain confident that the overall results regarding inter-branch policy weight (our main focus) are robust.

<sup>12</sup> We run various alternative models for the executive success equation, including a dummy variable identifying Peronist Presidents. We test for the success rate of other non-economic types of legislation, as well as the President's sensitivity to the legislative electoral cycle. These variables had no statistically significant effect, and so were not utilized in the final model in order to simplify presentation. The data to replicate this analysis may be downloaded from <http://calvo.polsci.uh.edu/>.

<sup>13</sup> A significant number of parties compete in only one province, such as the *Movimiento Popular Neuquino* (Neuquen), the *Fuerza Republicana* (Tucuman), or the *MPJ* (Jujuy). While somewhat ideologically diverse (but never too far from a pragmatic center), these small provincial parties have proven pivotal in approving significant legislation during the Peronist administration of Carlos S. Menem (1989-1999), and the UCR administrations of Raul Alfonsín (1983-1989) and Fernando De La Rúa (1999-2001). Due to their importance in mustering legislative support for critical legislation, these provincial parties enjoy considerably more political clout than their numbers suggest (Gibson, 1996; Jones, 2002). Consequently, the methodological decision to group these provincial parties together is an attempt to capture their pivotal role in the approval of legislation.

<sup>14</sup> A similar argument is made by Taylor-Robinson and Diaz (1999).