

THE USE OF INSTITUTIONAL PROCEDURES FOR AGENDA CONTROL IN  
PRESIDENTIAL SYSTEMS:  
an empirical examination of their use in four Central American countries

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“For nearly 300 years, constitution writers and institutional designers have been cognizant that their choice of institutional structure affects political behavior. They have recognized that there is no single ideal form of democratic government, and that each choice involves tradeoffs.”<sup>1</sup>

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<sup>1</sup> Haggard and McCubbins, 2001: 2.

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**Abstract:** This paper examines how the procedural design of the legislative institution affects the political outcomes, specifically, regarding the production of legislation. I first place theoretically the research questions, related to the belief that Assemblies are weak actors in presidential regimes, and that the Executive may have powerful means to exert an excessive agenda control. I put this belief into question by carrying out a comparative empirical analysis. Hence, the paper aims at providing both a conceptual approach, and thus offering measurement criteria, but restricts its coverage and empirical analysis to the patterns of agenda control in the legislative production in four Central American cases. Particularly, I analyze whether there is a differential use of the committee system, in interaction with its institutional design, and of certain emergency procedures. I find evidence that there are institutional procedures to exert agenda control, and that they vary, interestingly, in accordance with the legislative scenario (in terms of fragmentation and polarization). Finally, I am interested in drawing conclusions about how different patterns of legislative performance can foster -or obstacle- democratic institutionalization in the four Central American cases under analysis, thereby relating the institutionalist theory and the theory of democracy. Whether the iterated, and hence becoming institutionalized, practices exclude political interests, may damage representation and aggregation of interests in the policy making. My claim is that these aspects matter to evaluate the democratic institutionalization, because they significantly affect the legitimacy and stability of the democratic regimes.

**Key words:** Institutional design, agenda control, committee system, emergency procedures, presidential regimes.

## I.- INTRODUCTION

The background of this paper is the literature addressing the institutional design as a key explanatory variable of diverse political outcomes. My general field of interest is placed within the studies that try to analyze which are the processes and institutional design components that make democracies not only endure but work better. The constitutional design can be analyzed in two interesting directions: first, in connection with the institutional choice. Second, related to the actual workings of the chosen institutional design, which takes us to the analysis of outcomes. The institutionalist theory offers both analytical tools and meaningful theoretical arguments that allow undertaking a comparative empirical analysis in order to shed light on these questions. However, the broad umbrella it constitutes presents some problems for hypotheses testing. Although most of the scholars analyzing the theoretical roots of the institutionalist theory agree that the debate is healthy and offers opportunities for a dialogue between the different branches (Crawford and Ostrom, 1995), I believe that a comprehensive effort is still to come in this respect.

A fruitful line of research has been developed concerning the workings of certain political institutions: “if the institutionalists are correct, much or all of political behavior and collective decision-making is an artifact of the procedures used to make decisions, (...) as institutional analysis focuses on showing how preferences and decisions are artifacts of institutions” (Immergut, 1996: 327-329). Decision-making and political outcomes are seen as two intertwined sides of the same coin. In this paper, I consider how the decision-making structure, in a procedural and an organizational aspect, actually affects the prospects for one particularly relevant political outcome: policy making.

The puzzle goes as follows: the legislative body is a core institution in a democratic political system, independently of the type of regime, to produce policy, control the Executive, produce legitimacy and institutionalize conflict (Olson, 1994); produce representation, political control and interests’ articulation (Sartori, 1992) or for conflict management and national integration (Jewell and Patterson, 1966). In sum, Parliaments have been attributed many central functions indeed concerning

the essence of the democratic regime. Hence, the importance of the institutional performance of this body for the overall democratic performance is great. However, some concerns have been raised when the legislative analysis is placed for presidential regimes. The rubber stamp characterization has traditionally been attached to the role of legislatures in presidential regimes, but this belief is a stereotypical (Mezey, 1994) rather than empirically proven one. I develop these points and counterpoints in the second section of this paper. In the following lines, I offer a short overview of the research question.

This paper aims at analyzing whether there are available institutional procedures for agenda control in presidential regimes. Two problems emerge in order to address the question: first, how an empirical analysis is possibly made, and second, how a comparative analysis is possibly carried out. I first discuss the value of producing comparative analysis. Thereafter, I address the problem of building empirical models for the assessment of institutional questions.

Regarding the possibilities of developing a comparative legislative research, some scholars have argued that there is a limited scope of comparativism in this field of study due to the very nature of the object of research. Given the complexity of the legislative bodies, Jewell (1978) argues, the research requires great detail, thus great case-specific knowledge and analysis. In my view, comparative work can precisely increase our knowledge of different specific institutional settings and allow us to draw conclusions on the outcomes of those for the democratic performance. Whereas the value of descriptive and intensive case-specific knowledge is great to understand particular patterns of legislative behavior and organization, we need a greater theoretical effort to undertake more comparative analysis. Therefore, in my view, the distance between theory and empirical work is not necessarily a consequence of the nature of the object of research, but rather as a consequence of the difficulty to posit general theories that include both institutional detail and possibilities to carry out comparative empirical analysis. In other words, it can be seen as a consequence of the difficulty to build a theoretical approach that both accounts for institutional detail and, at the same time, allow to generalize about the institutional workings.

Legislatures are complex institutions, both in procedural and organizational terms. However, legislatures offer excellent opportunities to carry out empirical research. They share some common, general characteristics that precisely comprise the basic elements required to assume an institutionalist approach: actors with heterogeneous preferences, decision-taking rules and an institutional frame in which their actions are enclosed. For clarity, I sketch the general characteristics of legislatures in three points:

- 1- Members are numerous, as in no other political institution. Furthermore, they are a key piece of the institution because they are elected. This fact makes them equal in terms of status and rights (D. Olson, 1994).
- 2- The members usually represent territorial interests. In accordance, they need to find a policy that is both responsible for the constituents and at the same time seeks to maximize the general welfare, i.e. the common interest. In that vein, the legislative body is an institution where bargaining and compromise are key mechanisms to produce good policy.
- 3- There are several gates in the process of passing legislation, so that deliberation, as a mechanism to assure representation and aggregation of interests, can be in principle guaranteed. The role of the rules regulating the whole deliberative process may significantly affect the degree to which the interests are aggregated and represented.

Now that the connection between the general theoretical umbrella and this paper has been clarified, the rest of the paper is organized as follows: first, I review the literature related to the object of study, which will help understanding the set of research questions put forward thereafter. The research questions contemplate two key institutional tools for agenda control: 1) the committee system; 2) the emergency procedures. As I claim in the section devoted to spell out other open lines of research, these are only two important mechanisms to control the political agenda. However, the nature of this paper is eminently theoretical, to the degree that it tries to capture a question susceptible to analyze employing the institutionalist theory tools and translate it into an empirical model. I offer two complementary empirical models to assess the research questions. I find empirical evidence that there are institutional tools systematically used to exert agenda control. These results covary with other non-institutional variables, such as electoral cycle and type of government (divided or unified), effectively suggesting that institutional variables are enriched if analyzed in interaction with political variables.

## II.- THE FIELD OF STUDY: LEGISLATIVE RESEARCH AND INSTITUTIONALIST THEORY

The idea that the form of government influences the survival of democracies was a major point of contention among students of comparative politics in the late 1980s and 1990s (Cheibub and Limongi, 2002: 151). Linz, in his influential paper widely distributed in 1989 and published in a collective volume in 1994 (Linz and Valenzuela, eds.), emphasized that presidential regimes face higher probabilities to have divided government situations, in comparison with parliamentary regimes. Divided government occurs when the majority party in the legislature is not the same as the

party holding the Executive. This situation is likely to be more dramatic in presidential regimes than in parliamentary ones due to the very institutional characteristics of this regime. Being the Executive and the Assembly elected separately, they have direct legitimacy. Hence, both actors are legitimate to propose policy. Under divided government, political conflict may become critical due to those facts, and institutional blockage or deadlock may prevail. A second possible outcome is a strong Executive, -usually with special powers in presidential regimes such as decree authority (Shugart and Carey, 1998) and veto power - monopolizing the political agenda. Such an outcome would exclude the interests represented in the Assembly<sup>2</sup>. This outcome is, in turn, highly unlikely to happen under a parliamentary regime, where the Executive is dependent on the confidence and support of the Assembly. The underlying assumption is that cooperation and consensus are more likely to prevail in parliamentary regimes, whereas political conflict, institutional deadlock and inter-branch blockage are more likely to overcome in presidential ones.

Despite the convincing character of those arguments, no empirical support was provided. Although the debate had a wide impact along the 1990's, the academic community has agreed on that "for too long, the debate has focused on the question of whether institutions matter. In order to progress beyond this question, it is necessary to shift our focus from sweeping, general questions about institutions (such as presidentialism versus parliamentarism), and to develop more fine-grained comparisons" (Haggard and McCubbins, 2001: 17). Moreover, presidential regimes have been treated as a unified typology, although it implies to put together as different systems as the U.S. one with the diverse Latin American ones; hence, once can find a great diversity not only regarding the outcomes, but also, importantly, within the constitutional design. The different prerogatives constitutionally assigned to both the Executive and the Legislative branches have not been properly analyzed, and stereotypical beliefs about the strength of the Executive and the weakness of the Assembly have been asserted with no empirical support.

In this vein, the current works on the issue have claimed that the analysis requires a greater institutional detail in order to confirm or reject Linz's arguments. The perspective is that the political outcomes of presidential regimes may not only depend on the macro institutional design, but rather on the presence of other factors. A fertile branch of the literature highlights the importance of the party system format (particularly, the degree of polarization and fragmentation)<sup>3</sup>, claiming that it is the multipartism and presidentialism that becomes the difficult sustainable equation (Mainwaring, 1990).

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<sup>2</sup> Especially in presidential regimes, the legislative body is the one devoted to incorporate the territorial interests in the policymaking. Being the Executive elected by majority rule, it is the Assembly the institution designed to accomplish the representative function. In this way, it has been argued, presidential regimes reach an efficient secret: the Executive represents the majority will, whereas the Assembly represents the territorial interests (Shugart and Carey, 1992).

<sup>3</sup> See Mainwaring and Shugart (1997), Mainwaring (1998), Mainwaring and Scully (1995).

A second branch of the literature brings to the forefront of the analysis the legislative structure as an explanatory variable of political outcomes, especially concerning the policy making process. These two claims will be developed in more detail further on in this paper. By now, one important characteristic of these specific questions of research may become clear: the debate has evolved from a general set of questions on the effects of the constitutional design over political outcomes towards a more detailed, empirically-oriented and comparative analysis of how specific institutional and political variables interact. In that way, the perils of presidentialism, which were seen as a structural, entrenched, characteristic of this type of regime, are currently seen as a more or less likely outcome depending on the interaction of diverse variables, institutional and political, and not only on the macro constitutional design.

My specific claim is that the analysis of the legislative lawmaking process –or legislative production- can contribute to explain whether those perils are effectively a consequence of the institutional design in presidential regimes or, alternatively, a byproduct of other factors being present. The legislative production can be informative of the degree to which the Executive, with direct legitimacy in presidential regimes, can monopolize the political agenda (and thus, the public policy). One of the consequences of this potential monopolization of the agenda by the Executive has led to the belief that the Assemblies are weak political actors. This work tries to put into question such assumption. In order to do so, I examine two main sources of agenda control<sup>4</sup>: the emergency procedures and the committee system design. This analysis, therefore, heavily draws on the assumption that the procedures affect the performance of the political systems.

Before specifying in more detail the research questions and the set of hypotheses, I devote the next section of this paper to explain the case selection criteria, the time frame and the data available to carry out the analysis. This section is relevant in order to understand the broader interest in which this piece of research lays.

## II.- THE CASES, TIME FRAME AND DATA AVAILABLE

Three criteria have been considered for the case selection in this research, namely:

1) Legislative party system format. Heeding the assumed importance of the party system format and features for the political performance in presidential regimes, I have selected two bipartisan cases with stable unified governments and systematic majorities within the Assembly (and thus, no need

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<sup>4</sup> Notice that I examine the sources for agenda control, therefore not for agenda setting. The difference is narrow but can be neatly expressed as follows: agenda control occurs when a legislative proposal is already at stake along the legislative production process. Agenda setting, in turn, is the ability of the actors with legislative authority, to push an issue into the agenda. Although agenda setting obviously precedes agenda control, I do not examine the sources for agenda setting, which would be another research in itself, but the sources for agenda control.

for coalition building): Honduras and Costa Rica, and two multiparty systems –Guatemala and Panama- with a high probability of needing coalition building within the Assembly and a more polarized party system.

This case selection is expected to enrich the analysis in several ways. The first and most evident is the enhancement of the comparative analysis. The expectation is that each pair of cases (on the one side the bipartisan, and, on the other, the multiparty systems) will display similar workings. In this vein, the advantages offered by the comparative method can be maximized. Indeed, if the stated expectation is not met, the findings will challenge one of the most stable beliefs of the Political Science theory: the determining impact of the legislative scenario for the legislative performance.

I sketch the chief characteristics of the party systems in the selected cases in the table below.

*Table 1 Features of Party Systems in four Central American countries*

Features of the party systems	GUATEMALA	PANAMÁ	HONDURAS	COSTA RICA
Effective number of electoral parties	5.92	7.18	2.19	2.75
Effective number of legislative parties	3.52	3.51	2.11	2.31
Reducing effect of the electoral system	2.4	3.67	0.08	0.44
Rae fragmentation index	0.69	0.69	0.53	0.57
Electoral volatility	Average 66%	---	Average 4,3%	Average 8,5%
Average electoral abstention	1984-1999: 52%	1948-1994: 27%.	1980-1997: 23%.	1990-1998: 22,3%
Source: own construction.				

The differences in the effective number of parties (ENP) between these four countries are considerable. The same goes for the electoral volatility and the average electoral abstention, showing somehow the higher rooting of the parties in the two bipartisan cases, with notably small figures of voting change from one election to the next, and in turn being dramatically high for the Guatemalan case.

An interesting aspect to highlight is that whereas the two bipartisan cases are so both in the electoral realm and in the legislative one, the two multiparty systems are less fragmented in the legislative realm than in the electoral one. The explanation is the very unproportional workings of their electoral systems (especially, the very high number of small magnitude districts and the existence of a minimum electoral threshold<sup>5</sup>). This fact helps explaining the strong reducing effect of the electoral

<sup>5</sup> The percentage of small magnitude districts –typically considered the ones in which 5 seats or less are to be elected- is 91,3% for Guatemala and 97,5% for Panama (Jones, 1995 and García Diez, 2001). In turn, these figures are 44% and 42,8% for Honduras and Costa Rica, respectively, with very proportional electoral systems. Such high percentage of small districts strongly benefits the big parties. Besides, the existence of a minimum electoral threshold (the 4% for Guatemala and the 5%

party system. Still, they fall in the multiparty systems category in which bargaining and political conflict are more likely to be present than in the two-party systems, as Costa Rica and Honduras almost are. Therefore, an empirical analysis of these four countries can still be expected to display interesting pairwise comparative patterns.

The percent of minority presidents in presidential regimes when the ENP is between 3 and 4 –the case for both Guatemala and Panama in my sample- is 59,69%, almost the double than for systems with an ENP between 2 and 3 –the case for Honduras and Costa Rica- (33,45%) (Cheibub, 2002, in Cheibub and Limongi, 2002). The probability of facing deadlock situations is also higher for a more fragmented party system (49,22% for ENP between 3 and 4, in comparison with a 31,49% for the ENP systems between 2 and 3, Cheibub, 2002). Despite the striking implications of these figures, all the cases in my sample had unified governments for the researched legislature. Despite this fact, the legislative scenarios in Panama and Guatemala are more fragmented and polarized.

*Table 2. Percentage of seats in Congress of the majority party*

Institutional features	<b>GUATEMALA</b>	<b>PANAMA</b>	<b>HONDURAS</b>	<b>COSTA RICA</b>
Legislature researched	1996-1999	1995-1999	1997-2001	1994-1998
Majority party in the legislature under study	PAN (Partido Avanzada Nacional)	PRD (Partido Revolucionario Democrático/ Alianza Pueblo Unido <sup>6</sup> )	PLH (Partido Liberal de Honduras)	PLN (Partido Liberación Nacional)
Percentage of seats of the majority party in the legislature under study	55%	41,6% <sup>7</sup>	52.3%	47.3%
Percentage of vote for the candidate in the presidential elections (2 <sup>nd</sup> round)	51,2%	33,3	52,8%	49,5
Source: own construction, except the figures for the last row: Alcantara, 1999.				

As Cheibub and Limongi argue “the discussion so far has been guided by the supposition that the existence of a majority, either in parliamentarism or presidentialism, automatically means the ability of the government to govern. (...) What matters is both the number of parties that must come together in order to establish a majority and the cohesion of the party (or parties) that belong to the majority” (2002: 156). Indeed, these authors demonstrate that the problematic relationship between multiparty systems and regime survivability significantly increases when the ENP is between 3 and 4, the case here for Panama and Guatemala. Hence, although I do not count with a perfect sample

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for Panama), still contributes to bias more in favor of the big parties. For these cases, the electoral system reduces the electoral parties in almost the half, as can be seen above in the Table.

<sup>6</sup> The highly unproportional workings of the electoral system, as has been mentioned above, leads to the need of both pre-electoral and post-electoral coalition-building. This is in part allowed by the regulations of the political parties, by which the parties can keep their own label and organizational identity.

<sup>7</sup> The PRD indeed needed to build a coalition in Congress in order to assure the majority of the House. The coalition, however, integrated three small parties: PALA, LIBRE and MORENA, with 1, 2 and 1 seat each, providing the PRD coalition with the 47,2% of the seats.

regarding the traditional hypothesis (more fragmented and more polarized party systems have a very high probability of divided government), given that unified governments were present in all the countries, I believe this sample to capture the essence of the comparison between more fragmented legislative scenarios versus less fragmented bipartisan systems.

2) Countries in a relevant stage of the democratization process; Secondly, the interest of these countries is also related to the stage of democratic development at which they are (with the exception of Costa Rica, whose democratic regime was established in 1948). One of the aims of my research is to link the institutional theory with the theory of democracy. The selection of these cases is precisely related to this further interest. Moreover, given that virtually most of the countries in the Third Wave of democratization made the *wrong choices*, concerning the adoption of presidential regimes in almost all Latin American countries, the research I want to carry out is relevant to explain the political outcomes of this type of regime.

In this vein, I aim at putting forward a dialogue between these two, already related, branches of knowledge. As Power and Gasiorowski put it: “when studying democratic *consolidation* as opposed to democratic *transition*, the central issue is not under what circumstances poliarchy was inaugurated, but whether democratic practices are subsequently iterated and institutionalized” (1997:131). This point is directly linked to the question under analysis in this paper: if the practices in the legislative production that are iterated and hence becoming institutionalized permit a discretionary use of the procedures and systematic agenda control, we can argue that the prospects for democracy are not good.

Indeed, my claim concerning this point goes further: the recent analyses of democracy have been excessively focused on the question of democratic survivability. In my view, in order to advance in the analysis of what makes democracy work (or breakdown), the research question should address how the institutions are performing, in relation to representation of interests and peaceful conflict resolution. Legislatures can be seen as the main institutional solution to the problem of aggregation of preferences –representation- and to the problem of political action undertaken for social needs – policy making; hence, the analysis of how representative and legitimate is the legislative production, the empirical analysis can be reconnected with an intermediate theoretical analysis of how democracies reach stability and survive.

3) Common constitutional design: unicameralism. This is the last criterion in the cases selection, which allows me to look at similar legislative production processes. Bicameral systems entail a further element of bargaining, the legislative production is a two-stage or even three-stage process, and the type of representation of interests is also expected to work differently. In the cases under study here,

very similar institutional features are at work at the macro level –the constitutional design-, whereas the variation will be mostly found among the legislative proceedings required to pass legislation.

*Table 3. Institutional Features of the Assemblies in Four Central American Countries*

Institutional features	<b>GUATEMALA</b>	<b>PANAMA</b>	<b>HONDURAS</b>	<b>COSTA RICA</b>
Type of legislative system	Unicameral	Unicameral	Unicameral	Unicameral
Assembly size	113*	72*	118	57
Actors with legislative initiative	-Executive Power -Legislative Power -University S. Carlos -Supreme Court of Justice -Supreme Electoral Tribunal -Human Rights Committee -Popular initiative	-Executive Power -Legislative Power -Presidents of the Provincial Council• -Permanent legislative committees -Supreme Court of Justice -General Procurator -Administrative Procurator	-Executive Power -Legislative Power -National Electoral Tribunal -Supreme Court of Justice	-Executive Power -Legislative Power -Legislative committees with total legislative power
Majority required to pass a bill	Absolute majority of the total number of deputies	Absolute majority of the present deputies in the session	Simple majority of the present deputies in the session	Absolute majority of the present deputies in the session
Type of legislation	-Acts -Decrees -Agreements -Resolutions	-Organic -Ordinary	-Ordinary -Urgent	-Ordinary -Decree
Source: own construction. * Guatemala and Panama do not have a fixed Assembly size. In Guatemala, it is calculated for each electoral event in accordance with the renewed population census. In Panama, as a consequence of a complex mixed electoral system of uninominal and multinominal districts, the Assembly size depends on the increase/decrease of population only for the multinominal districts. In addition, the Electoral Law contemplates the possibility of adding compensatory seats for the parties that have obtained enough votes for a seat, but did not get one, due to the very unproportional workings of the electoral system. • The Presidents of the Provincial Councils have legislative initiative only for ordinary bills -not for organic laws- and require the previous authorization of the Administrative Council and the Provincial Council.				

The data I will employ are available thanks to a Research Project<sup>8</sup> in which the author participated as a researcher. Data were collected regarding the legislative production process along a legislative period. Hence, the time frame for this study is determined by the data available. The legislative periods under analysis can be seen in Table 2.

Data availability has traditionally been a drawback for the legislative research in underdeveloped democracies and underdeveloped countries. Institutional development and academic interest, present in developed democracies and developed countries, are to a great extent the causes. The recent efforts to produce data as the first step to produce research is, however, notable for the presidential regimes outside the U.S. (Morgenstern and Nacif, 2002; Cheibub and Limongi, 2002; Lanzaro et al., 2001), indicating the emergent research agenda regarding the legislative field of study.

The data I employ in this paper is the volume of all the legislation passed over the legislative periods under analysis. Information regarding the actor initiating the bill, committee receiving it, number of debates in the floor and the Executive action (veto/pass) were collected, as well as the expeditiousness in each of these organizational and procedural subunits. In order to understand the

<sup>8</sup> “El rendimiento legislativo en America Latina” (Ref. 1FD97-0906).

whole picture of the legislative production process in the countries under analysis, I have included the flow diagrams of each procedural design, collected in Appendix 1.

### III.- THE RESEARCH QUESTIONS

“The distancing [in legislative studies] of the analytical from the empirical has had unhappy consequences: it diminishes the impact of insights derived from more analytical approaches and it minimizes the prospects for cumulativeness for more descriptive studies”<sup>9</sup>

The rules of procedure have been seen to affect both the decision making process and the outcome of the policymaking process in Congress. Cox expresses it in a clear way: “rules can change the set of bills that plenary sessions of the legislature consider; they can change the menu of amendments to any given bill considered in the plenary; they can affect how members vote; and – putting the first three effects together- they can affect which bill pass” (2002: 247). These aspects are of the interest of this paper. Particularly, I address the way in which actors can use available institutional procedures to get the bill passed with the least number of amendments and hence, closer to their preferred policy. My specific claim is that through the committee system and the emergency procedures, certain actors can take advantageous positions –the Executive, the majority party- in order to maximize the conditions to get legislation passed with the least number of amendments.

The hypothesis goes as follows: whereas under unified government, the Executive will have no incentives to strategically exert agenda control, because it will trust the majority party in Congress to back and support its agenda anyway, under divided government –in my cases, more fragmented legislative scenarios- the Executive has a strong incentive to exert agenda control, having limited possibilities that its party successfully backs the agenda in Congress. This can hold due to the majority rule employed to take decisions on whether to pass a bill or discard it.

The argument is that the deputies of the majority party when there is unified government also find benefits in supporting the Executive agenda. Whatever legislators of the majority party may seek (good public policy, reelection or prestige), the good performance of the Executive increases the legislators’ utilities. In turn, under divided or fragmented scenarios, it is more costly for the Executive to attract the pivotal actors (the one needed to get a majority of the votes, see Krehbiel, 1998), than to use other available institutional procedures that allow her to get her bills passed with the least number of amendments and therefore avoid the political conflict in the floor.

In the following lines, I briefly comment on how the committee system and the emergency procedures may benefit an actor, the Executive or the majority party, in achieving the objective: getting legislation passed.

### II.1. The committee system

The committee system is one of the most important gates to get legislation passed: “the power to decide which bills make it to the floor is arguably the least appreciated but most fundamental power in terms of influencing final outcomes” (Cox, 2002: 261). The committee system is also a collective solution to the problem of information (Krehbiel, 1992). In a world in which legislators vote over means –tools for policy making- and not over ends –the outcomes of the policy- they urgently need a collective solution to this lack of information, indeed benefiting everybody. Specialization is a traditional way in which informational dilemmas can be tapped. Specialization facilitates the development of expertise. But the fact that committees produce information does not assure that the access to information is the same for all the actors in the legislative realm. Two questions follow from this fact: first, who controls the flows of information within committees?, and second, who stands in each committee?. In other words: “organizational choices in the information area, thus, do not simply involve questions of efficiency or effectiveness with which information is generated, distributed and used; they also involve questions of the basic distribution of power” (Cooper and MacKenzie, 1981, cited in Bimber, 1991: 592).

Agenda control can be thought of in two ways, regarding the committee system workings:

1) Through the anticipation of which committee will deal with the legislative proposal, namely through the use of the committees that offer an advantageous position –for instance by having more legislators- to the actors enacting the bill.

2) Through the increase in the number of committees to such an extent that even with proportional assignment rules, the majority party can have a control over the voting in virtually all most important committees. My hypothesis is that a large increase in the number of committees would produce a fuzzy separation of functions between the standing committees. In such a committee design, the majority party may choose the committee that improves the chances to get the bill passed with the least number of amendments. Put it in other words, the majority party can be able to choose which of the, say, five committees dealing with economic affairs, will be more likely to support the bill.

The underlying hypothesis is that there may be a significantly different placement of the bills in committees as a mechanism for agenda control. In combination with the hypothesis concerning the type of government (unified/divided), it would imply that the majority party –when there is unified government- would use the committee system significantly different, whereas under a more fragmented legislative scenario, the Executive is the actor exerting a significant different use of committees.

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<sup>9</sup> Shepsle, 1985: 7.

I sketch below the key characteristics of the committee systems for the four cases under study concerning the committee size, the committees' size and the assignment rule.

*Table 4. Standing Committee systems in four Central American cases*

Indicators	GUATEMALA	PANAMA	HONDURAS	COSTA RICA
Size of committee system				
Ordinary				
Economical	6	5	13	4
Political	7	5	9	5
Socio-cultural	6	6	13	5
Infrastructures	3	4	11	2
Extra-ordinary				
With tasks assigned	4	1	5	5+3(*)
Without tasks assigned	-	Ad-hoc	Ad-hoc	Ad-hoc
Total	26	21	52	24
Size of committees (number of legislators)	Ordinary: 5-8 (11 maximum if requested by Pte of committee)	Ordinary: 7 Budget committee:15	Ordinary: 5-7 Special: 3-5	Ordinary: 9 Budget Committee: 11 Full legislative authority committees: 19
Number of legislative blocs	9 parties, 6 blocs	3 blocs, 13 parties	5 parties, 5 blocs	7 parties, 5 blocs
Number of legislators (size of Assembly)	113	72	118	57
Renovation rule	Annually	Annually	Every four years	-
Assignment rule	Proportional to the seats in Assembly	Proportional to the seats in the Assembly	Proportional	Proportional
Source: own construction.				
(*) I place the three committees with full legislative authority in Costa Rica in the special type of committees.				

A third way in which the committee system may be strategically used is through the lax regulation of the special or ad-hoc committees. This kind of committees exist in almost all legislative bodies. "Their tasks are usually not at all or almost not defined, because it is precisely when the legislative proposal does not "fit" in the policy jurisdictions of the other permanent committees, when the bill is sent to the special committees. However, it can also be considered a special emergency type of procedure due to the usually smaller size of this type of committees and the discretionary procedure by which the Directory of the Congress decides on its formation. This the case in Costa Rica, Honduras and Panama, where a complete discretion on the formation of a special committee is left to the President of the Assembly, with size of committee varying between 3 and 5 deputies, except for Panama where the minimum size is 6 deputies. For Guatemala, in turn, there is no procedure for the appointment of a special committee. The great international pressure at the time of the constitutional design, due to the involvement of the Peace Agreements within the Constitution, the special committees are permanent ones designed to promote reforms and knowledge on three areas (technical strengthening of the Congress, Electoral reform and Human Rights). However, the only country of the sample where the use of the special committee is highly

significant, both in quantity and in quality is Honduras<sup>10</sup>. Hence, due to the lack of significant data for the other countries, it is not possible to run a specific model for this variable.

## II.2. The emergency procedures

The emergency procedures are the ones that allow to get a bill passed quicker, by appealing to a special character of the bill. Mechanisms like the decree authority (Shugart and Carey, 1998) and the amendment rules (Baron and Ferejohn, 1989) have attracted most of the scholar attention concerning the use of urgent procedures. However, there are more emergency procedures available that deserve some attention: 1) the reduction of the number of debates to one, in order to pass the bill quickly; 2) the call for an extraordinary session, out of the ordinary calendar of the Congress; 3) modification of the status of the bill, from “ordinary” to “urgent” or “national urgency”.

Whereas the availability of emergency procedures is beneficial when the political authorities need to give a quick response to social needs (like in the case of environmental disasters, not that infrequent in Central America, for instance), the overuse of them can, indeed, indicate a way to exert agenda control, and thereby a way to avoid the potential, anticipated, political conflict in the floor. The emergency procedures transform the usual open amendment rule into a closed one, in which the time pressure to pass or reject the bill is increased and therefore there is less time and resources available to propose meaningful amendments by the other parties in the floor. The heterogeneity, however, of the regulation of these procedures in each of the Congresses under analysis, has led me to select two key mechanisms in order to be able to carry out similar analyses, namely: 1) modification of the status of the bill into urgent; 2) alteration of the agenda-of-the-day to include a legislative proposal.

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<sup>10</sup> A simple frequency table is necessary to show this fact: in Honduras, the special committee received 243 bills or the 27,4% of the total of bills passed. In turn, in Costa Rica there was no use of any ad-hoc committee along the whole legislative period, but only of three special committees with tasks assigned (“for the research of the death of”, “for electoral reform”, “for the sustainable policies”), receiving 1 bill each, or the 0,6% of the total number of bills passed. The same pattern is found for Guatemala (only special committees with tasks predefined –“for the proposal of Peace policies” and “Technical legislative development”-, receiving 6 bills each, or the 2,8% of the total number of bills) and Panama (where no bill went to a special committee). This may indicate a lack of complete data for these cases, or simply that this institutional mechanism is not employed. Hence, in the models concerning the committee use (Model 1), I account for the dynamics of the special committee use for Honduras, where it seems to be a significant political mechanism, in order not to lose relevant information.

#### IV.- THE MODELS

“Comparative research on legislatures is beset with a number of complex problems. The discipline is far from answering some of the most basic questions regarding legislative operations, let alone offering a theoretical explanation. Many of the most serious obstacles to the development of statements which can be generalized across legislatures, can be attributed to a failure to link successfully different levels of analysis”<sup>11</sup>

Two complementary models are offered in this paper: in the first one, the dependent variable is the committee use; in the second one, the dependent variable is the emergency procedures use, with three versions: a) the modification of the status of the bill (urgent); b) the alteration of the agenda-of-the-day; c) the special or ad-hoc committees use. In order to measure the committee system use, I created a common categorization of the standing committee systems based on the type of issues they consider: economic affairs, political affairs, infrastructure and socio-cultural<sup>12</sup>. The use of emergency procedures is measured by creating a dummy variable in which the normal procedure gets value zero and the emergency procedure gets the value one. In this way, I can measure which is the probability that value one happens, i.e. an emergency procedure is used, when the independent variables take whatever chosen value.

The independent variables in the multivariate models are origin of the initiative (Executive or Assembly), electoral cycle (year of the term in which the bill is passed) and the legislative party system format (degree of polarization and fragmentation/size of majority party)<sup>13</sup>, policy domain of the bill<sup>14</sup>, and majority party initiating the bill vs other parties (dummy). With these variables, I want to check whether the probability of getting the bill passed through one of the agenda control mechanisms defined above increases if the legislative proposal comes from the Executive, from the majority party, and varies with the legislative party system format. The exogenous variable to the

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<sup>11</sup> Hedlund and Freeman, 1981: 87.

<sup>12</sup> For the Honduran case, I also included the category special committee and “links” committees (*comisiones de enlace*). This exception was made in order not to lose in this analysis many cases, therefore losing explanatory power. However, for this case I will run separate analysis with this whole classification and also with the classification done for the other countries, in order to improve the comparative analysis later on.

<sup>13</sup> These variables will be only included in the models for the pooled dataset, where the values of the polarization and fragmentation vary. It is nonsense to include them in the case-specific models because those measures (polarization and fragmentation) are descriptive of the party system, and hence mean nothing unless put in a comparative perspective. Furthermore, I have only calculated the polarization and fragmentation for the legislative periods under analysis in this paper; hence, the values of the variables do not vary over time and therefore if plugged in the case-specific equations would be like adding a constant.

<sup>14</sup> I also created a common categorization for this variable, policy domain of the bill, for all four countries: international agreement, authorization, budget, law creation, and law reform. I am currently working in producing a better, more exhaustive and meaningful, categorization for this variable. Hence, the results should be taken as preliminary. The idea, nonetheless, by including this variable in the model is that if the policy domain of the bill is highly and significantly correlated with the committee chosen, then the grounds for arguing that there is an agenda control process should be taken more cautiously. Obviously, if there is a good matching between policy domain of the legislative proposal and policy jurisdiction of the committee, the reasons to believe that there is a strategic choice of committee are less powerful than if the opposite holds.

legislative structure, the electoral cycle, tries to capture whether there is a greater use of the mechanisms for agenda control when the elections are closer. The idea is that, if agenda control is a mechanism to get the most preferred legislation passed, the Executive or the majority party may see greater incentives when the elections are closer, in order to maximize the benefits of the more recently delivered policy and be able to capitalize it properly in the electoral campaigning. In order to capture this further complexity in the data, I also include the proper interactive terms.

Two analytical strategies are used: first, I display case-specific patterns, running each of the models above for each of the countries under analysis. Thereafter, I display a common analysis, employing a pooled dataset, in order to get the whole picture of the agenda control dynamics in these countries.

#### IV. 1. Case-specific analyses

The first model is specified as follows:

##### Model 1: Committee use:

$$\text{TYPE OF COMMITTEE} = \chi_0 + \beta_1 \text{Dummy origin of initiative (Executive/Assembly)} + \beta_2 \text{Electoral cycle} + \beta_3 \text{policy domain of bill} + \beta_4 \text{majority party-all other parties} + \beta_5 \text{Dummy origin of initiative*electoral cycle} + \beta_6 \text{Dummy majority party*electoral cycle}$$

The model I carry out is a multinomial logit, due to the dependent variable being a categorical variable with several categories (see Greene, 1990). I first run the model without the interactive variables and the plug in the interactive variables, one at a time, to check whether the model fit improves with those further specifications.

*Table 5. Multinomial logit for dependent variable Committee receiving the legislative proposal in Honduras and Costa Rica*

Models	MODEL 1		MODEL 2		MODEL 3	
Country	HONDURAS	COSTARICA	HONDURAS	COSTARICA	HONDURAS	COSTARICA
Intercept	504,767 (,000)	301,320 (,000)	,000 (,000)	284,229 (,000)	481,758 (,000)	202,382 (,000)***
Dummy origin of bill (Executive/Assembly)	212,474 (,000)***	19,988 (,000)***	205,077 (,000)***	,000 (,000)***	18,717 (,001)***	1,898 (,594)
Electoral cycle	18,821 (,001)***	25,608 (,012)***	,000 (,000)***	12,287 (,139)	-	9,387 (,670)
Policy domain of bills	7,985 (,092)	33,653 (,001)***	7,814 (,099)	34,118 (,001)***	209,277 (,000)***	20,488 (,058)**
Dummy majority party	35,399 (,000)***	-*	25,756 (,012)***	-*	-	-*
Interactive origin of bill and electoral cycle	-	-	47,679 (,000)***	17,091 (,146)	-	-
Interactive majority party and electoral cycle	-	-	-	-	48,348 (,000)***	16,878 (,326)
MODEL FITTING n=	805	332	805	332	805	181
Goodness of fit	362,179	92,715	409,858	109,806	366,670	56,597

Pseudo R-square	0,387	,262	0,426	,303	0,391	,293
Significance of the model	0,000***	,000***	0,000***	,000***	0,000***	,066

Source: own construction.  
 The reported values in the columns are the chi-square, indicating the improvement in the model fit when the variable is added. (Maximum number of iterations=100). Between parenthesis, the p-values. \*\* significance at the .05 level of confidence; \*\*\* sign. at the .01 level of confidence.  
 The reported R-sq. is the Nagelkerke.  
 \* Note: the variable majority party-other parties initiating the bill has many missing cases (49,5% are missing); this is the reason why I have not included the variable in the models, because such variables prejudice more the overall model fitting information than add information otherwise.

The models for both bipartisan cases show a very good fit, and quite high amount of the variance of the dependent variable is effectively explained by the independent variables included in the model. Besides, all the models are significant at the 0,01 level of confidence. However, the interactive terms are not significant and do not increase the model goodness of fit in the case of Costa Rica, implying that the Executive or the majority party do not exert a greater agenda control through the committee system when elections are closer. In turn, both interactive variables are highly significant to explain this mechanism for agenda control in Honduras, both at the individual effect of each variable and for the overall model, increasing both the goodness of fit and the amount of variance explained. This fact implies that both the Executive and the majority party in Honduras exert agenda control using the committee system as a powerful mechanism.

The second remarkable result of the models is that the content of the bills (coded as policy domain of the bill above), is significant, and therefore indicating that there is not a complete degree of discretion in the assignment of bills to committees. This fact can be thought as follows: if the content of the bills is in effect an explanatory factor of the committee receiving the bill, the agenda control is not that much placed at the stage in which the bills are sent to a committee, but rather at the time in which the institutional design of the committee system in itself was chosen.

Finally, regarding the hypothesis related to unified versus fragmented governments, I do not find evidence that the Executive refrains from exerting agenda control through the committee system when she knows that the majority party will back the agenda in Congress anyway. On the contrary, I find that both the Executive and the majority party<sup>15</sup> use the committee system to exert agenda control (and significantly more, when the elections are closer). Indeed, this result indicates that the Executive and the majority party exert agenda control in order to maximize the electoral goal of the reelection. As can be seen in Table 4, the great number of committees within the same jurisdictional domain (among the standing committees) may precisely serve as a mean to place the bill in the committee that most convenient is for each type of bill (i.e., in which the party or the Executive is quite sure to get the majority of votes support). The argument is that the greater the number of

<sup>15</sup> The arguments related to the majority party variable are obviously referred only to the Honduran case. As I point out in the Table above, the great number of missing cases for this variable for Costa Rica, led me to exclude the variable from all

committees within each of the categories, the more likely it is that their jurisdictions overlap, and therefore allowing for a greater discretion in the assignment of a bill to a committee. This is more so for the Honduran case than for the Costa Rican one, thereby indicating that the democratic experience matters.

Table 6. Multinomial logit for dependent variable Committee receiving the legislative proposal in Guatemala and Panama

Models	MODEL 1		MODEL 2		MODEL 3	
	GUATEMALA	PANAMA	GUATEMALA	PANAMA	GUATEMALA	PANAMA
Country						
Intercept	180,536 (0,000)	222,273 (,000)	160,810 (,000)	193,415 (,000)	146,469 (,000)	173,339 (,000)
Dummy origin of bill (Executive/Assembly)	26,131 (,000)***	31,211 (,000)***	,000 (,000)***	2,197 (,532)	146,469 (,000)***	3,778 (,287)
Electoral cycle	11,738 (,229)	21,251 (,129)	6,154 (,724)	33,561 (,004)***	16,647 (,055)**	1956,107 (,000)***
Policy domain of bills	72,917 (,000)***	171,488 (,000)***	71,092 (,000)***	174,476 (,000)***	72,087 (,000)***	169,433 (,000)***
Dummy majority party	5,140 (,162)	4,856 (,183)	4,825 (,185)	3,396 (,334)	146,469 (,000)***	6,269 (,099)
Interactive origin of bill and electoral cycle	-	-	19,726 (,020)**	28,859 (,017)**	20,458 (,015)	33,269 (,004)***
Interactive majority party and electoral cycle	-	-	-	-	14,341 (,111)	20,076 (,169)
MODEL FITTING n=	364	325	364	325	364	325
Goodness of fit	180,344	307,260	200,070	336,119	214,411	356,195
Pseudo R-square	,430	,673	,466	,710	,490	,733
Significance of the model	,000***	,000***	,000***	,000***	,000***	,000***
Source: own construction. The reported values in the columns are the chi-square, indicating the improvement in the model fit when the variable is added. (Maximum number of iterations=100). The reported R-sq. is the Nagelkerke. ** Significance at the .05 level of confidence; *** sign. at the .01 level of confidence.						

The models for Guatemala and Panama are highly significant. Indeed, the amount of variance explained is remarkably higher for these cases than for the two bipartisan cases above, indicating a better goodness of fit therefore. The major result is that the Executive is more likely to use the committee system for agenda control, whereas the variable regarding the majority party vs other parties is not significant in any of the models. This result backs the hypothesis that under more fragmented legislative scenarios, the Executive has greater incentives to exert a control over the political agenda. Besides, the Executives in these countries have greater incentives to do so when the elections are closer, following, in this case, the same pattern as Honduras. In turn, the electoral cycle alone has no significance on whether the actors in the game exert agenda control, while it was so for both bipartisan cases.

In a comparative perspective, these results support the hypothesis that the Executives have greater incentives to exert agenda control when facing more fragmented legislative scenarios, and

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the analyses. Indeed, as can be seen in the Model 3 for Costa Rica, the results suffer (both in the goodness of fit of the overall model and of the significance of the variables) due to the important decrease in the number of cases.

therefore cannot be sure that there will be a majority of votes backing her agenda in Congress. Nonetheless, the results provide new insights in that in both bipartisan cases the majority party in the Assembly also exerts agenda control through the committee system use. This may be due to a lack of meaning of the party label in the electoral realm, so that the legislators do not connect their expectations of reelection with the performance of the Executive but on other types of goods. The argument should hold if the party label matters as such because the good performance of the Executive would reward the party overall, and therefore the legislators would face great incentives to support it. Furthermore, the electoral cycles of the Executive and Legislative branches are coordinated (concurrent elections happen) for all the cases under analysis. Therefore, it may be that the legislators work for their reelection independently, through different types of policies, than the Executive does, and thus also need to exert agenda control in order to avoid the competition for scarce resources and votes within Congress with their fellow parties. Secondly, it may also be reflecting a weak discipline of the parties in the bipartisan cases, so that the Executive has no reasons to believe that the majority party in Congress will support her agenda. These possible reasons are left open for further research, as I point out in Section V of this paper.

Model 2: Emergency procedures use:

I have run separate models for each case due to the variety of these procedures among the cases, and hence the different dependent variables to be employed. For Honduras, I use two dependent variables: 1) number of debates in the floor and 2) use of the special committee. Both entail a form of emergency procedure and are widely used, indicating a relevant significance of these procedures. For Costa Rica, I use two dependent variables: 1) the bill alters the order of the day (the legislative agenda) and 2) the legislative session is extraordinary or ordinary. For Guatemala and Panama I can use a common variable: whether the status of the bill is urgent or normal.

The independent variables are, besides the ones included for the models above, the dummy regarding whether the committee receiving the bill is in the category economic affairs or not. I use this variable as a proxy to measure the bills with an economic content, namely affecting the budget. Hence, the causal reading of the models should be: is it more probable that the Executive or the majority party use significantly more the emergency procedures when the elections are closer and when the bills have budget implications. The underlying idea is that if emergency procedures are effectively used as an agenda control mechanism, then the bills entailing expenditure are expected to be more conflictive in the floor, because the other parties are also interested in getting a share of economic bills.

Table 7. Logit models for dependent variables number of debates in the floor and special committee use for Honduras

Variables	Model 1 DV number of debates	Model 2 DV Number of debates	Model 3 DV Number of debates	Model 1 DV Special committee (1)
Constant	3,378 (.144)	9,298 (.026)**	9,053 (.000)	,850 (.757)
Electoral cycle	1,528 (.014)***	,969 (.912)	,789 (.406)	,741 (.000)***
Dummy economic affairs committees-other	2,341 (.019)***	2,495 (.012)***	2,384 (.016)**	- (2)
Majority party-others (PLH)	2,593 (.244)	2,540 (.251)	-	1,769 (.257)
Executive-Assembly enacting the bill (dico3)	,440 (.033)**	,099 (.010)***	,384 (.016)**	,333 (.000)***
Bill is in category budget of the policy domains	-	-	-	,353 (.005)***
Dico3*electoral cycle	-	2,028 (.050)**	-	-
PLH*electoral cycle	-	-	2,036 (.008)***	-
Model fitting parameters: Fit chi-square= Pseudo R-square= Significance of model= No. of Cases=	326,180 ,055 ,004*** 759	322,374 ,069 ,002*** 759	322,099 ,070 ,001*** 759	874,354 ,114 ,000*** 887
The maximum number of iterations was settled to 100. The reported figures are the exp(B); between parenthesis, the p-values (** means significant variable at the ,05 level of confidence; *** means significant variable at the ,01 level of confidence). The reported R-square is Nagelkerke. (1) I only report Model 1 for the DV special committee; when adding the interactive variables, not only the goodness of fit does not improve in any of the parameters, namely the specification overall does not improve with the interactive effects, but the individual effect of the variables is not significant. (2) In this model, I have excluded the variable concerning whether the bill goes to an economic affairs committee because the dependent variable precisely accounts for whether the bill goes to the special committee. Instead, as proxy to measure the economic character of the bill, I have created the variable "budget", a dummy splitting the bills categorized in "budget" or "other" in the policy domains original variable.				

The models regarding the use of emergency procedures for Honduras deliver very significant results and a quite goodness of fit although a poor amount of variance is explained. The model that captures most of the variance in the use of an emergency procedure is the one referred to the special committee use. The key characteristic of such committee is that appointment procedure is left completely in the hands of the President of the Assembly, usually the leader of the majority party in Congress. This is the reason explaining that the variable accounting for whether the majority party enacts the bill has the greater, positive, coefficient amongst the independent variables; hence, in this case, the majority party finds its way to get legislation passed, through appointing a friendly ad-hoc committee in which it can comfortably have the majority of the votes support. Besides, whether the bill affects the budget is also positive and significant, indicating a greater probability of special committee use when these factors –the majority party proposes a budget-required bill- are altogether. The other model, based on the number of debates in the floor (see Appendix 1), is highly significant although explains a fairly small amount of variance. It reveals, however, an important dynamics of this Parliament, confirming the patterns found in the models for the committee system use and now in this case, namely the greater use of emergency procedures by the majority party when the bill has a budget-related character and when elections are closer. Indeed, in this case, the majority party again has the greatest coefficient value, is positive and highly significant.

The partial conclusion for this case, therefore, is that whereas the agenda control is exerted equally significantly by both the Executive and the majority party in Congress when it comes to the committee system use, the influence of the majority party can be more direct in the manipulation of the mechanisms that require a majority rule within Congress, such as the reduction of the number of debates. In that way, the majority party in Congress has relevant information concerning the procedures and regulations of the Congress, and therefore is able to use them significantly more than the Executive.

Table 8. Logit models for dependent variable emergency procedures for Costa Rica

Variables	Model 1 DV bill alters the agenda-of- the-day	Model 2 DV bill alters the agenda -of- the-day	Model 3 DV bill alters the order-of- the-day	Model 1 DV type of session (extraordinary- ordinary)	Model 2 DV type of session (extraordinary- ordinary)	Model 3 DV type of session (extraordinary- ordinary)
Constant	2,2,88 (.012)***	3,166 (.004)***	4,519 (.003)***	,048 (.000)***	,013 (.000)***	,012 (.000)***
Electoral cycle	,674 (.000)***	1,325 (.139)	,518 (.000)***	2,356 (.000)***	3,552 (.000)***	3,720 (.000)***
Dummy economic affairs committees- other	1,830 (.027)**	1,883 (.021)**	1,863 (.023)**	,716 (.271)	,670 (.183)	,715 (.262)
Majority party- others (PLN)	,724 (.305)	,598 (.000)***	,327 (.134)	1,484 (.243)	1,408 (.349)	10,629 (.012)***
Executive- Assembly enacting the bill (dico3)	1,389 (.261)	,756 (.383)	,953 (.946)	3,756 (.000)***	42,041 (.000)***	3,285 (.000)***
Dico3*electoral cycle	-	,618 (.439)	1,150 (.524)	-	,433 (.001)***	-
PLN*electoral cycle	-	-	1,350 (.212)	-	-	,528 (.023)**
Model fitting: Fit chi-square= PseudoRsquare= Significance = No. of Cases=	420, 636 ,123 ,000*** 329	418,449 ,131 ,000*** 329	416,863 ,137 ,000*** 329	359,991 ,326 ,000*** 328	348,086 ,362 ,000*** 328	354,053 ,344 ,000*** 328
The maximum number of iterations was settled to 100. The reported figures are the exp(B); between parenthesis, the p-values (** means significant variable at the ,05 level of confidence; *** means significant variable at the ,01 level of confidence). The reported R-square is Nagelkerke.						

The models for Costa Rica are highly explanatory, both in terms of the significance and of the amount of variance explained, especially for the ones with dependent variable type of legislative session (ordinary or extraordinary). The Constitution designs the competence of calling for extraordinary session to the Executive. However, given that there is unified government for the period under study, the majority party in Congress also uses significantly this mechanism as agenda control, and more so when elections are closer. Hence, in this case, coordination between the Executive branch and the legislators seems more likely to happen, maybe for that reelection is not possible but still the party label matters to organize the electoral competition (Mainwaring and Scully, 1995), so that there are actual incentives to promote the good performance of the Executive and benefits for the party as an organization exist.

Regarding the models referring to the alteration of the agenda-of-the-day as an emergency procedure mechanism, the results reveal that this particular mechanism is responsive to the electoral cycle and employed when the bill is budget-related. On the other hand, no political variable, such as origin of the bill or interaction between origin of the bill and electoral cycle, is significant. Whereas the models are highly significant (all of them sig. at the ,01 level of confidence), almost none of the independent variables have a significant individual effect, indicating that the use of this mechanism for agenda control occurs when all the variables are present, but that none of them alone can explain the actual use of it.

In sum, the Costa Rican Congress is sensitive to agenda control by the Executive particularly concerning the appointment of an extraordinary session. The Executive has a significantly different behavior also in response to the electoral cycle, so that she will use more the extraordinary sessions to get legislation passed when elections are closer. Indeed, overall, the emergency procedures considered here are significantly sensitive to the electoral cycle, indicating that the probability they are used increases when elections are closer. Finally, the agenda-of-the-day is altered to include bills with an economic character, therefore giving priority to these.

Table 9. Logit models for dependent variable urgent or normal status of the bill for Guatemala and Panama

Variables	Model 1 GUATEMALA	Model 2 GUATEMALA	Model 3 GUATEMALA	Model 1 PANAMA	Model 2 PANAMA	Model 3 PANAMA
Constant	,996 (.995)	20,362 (.044)	8,942 (.207)	,079 (.003)	,061 (.003)	,997 (.000)
Electoral cycle	,306 (.000)***	,037 (.003)***	,070 (.029)***	1,448 (.000)	1,574 (.037)	7,4E+07 (.997)
Dummy economic affairs committees-other	,806 (.599)	,714 (.413)	,070 (.029)**	1,392 (.340)	1,380 (.353)	1,378 (.352)
Majority party-others	,532 (.365)	,184 (.348)	,775 (.535)	1,383 (.661)	1,394 (.658)	7,3e+30 (.997)
Executive-Assembly enacting the bill (dico3)	2,314 (.088)	,000 (.029)**	,000 (.203)	,667 (.191)	,856 (.857)	,617 (.204)
Dico3*electoral cycle	-	11,713 (.029)**	-	-	,895 (.654)	-
Majority party*electoral cycle	-	-	4,884 (.203)	-	-	,000 (.997) (1)
Model fitting:						
Fit chi-square=	198,595	190,567	196,557	303,787	303,583	298,914
PseudoRsquare=	,185	,227	,196	,072	,073	,095
Significance =	,000***	,000***	,000***	,005***	,010***	,001***
No. of Cases=	372	372	372	323	323	323

The maximum number of iterations was settled to 100.

The reported figures are the exp(B); between parenthesis, the p-values (\*\* means significant variable at the ,05 level of confidence; \*\*\* means significant variable at the ,01 level of confidence).

The reported R-square is Nagelkerke.

(1) For Panama, the coding of the majority party also includes in value one the parties in coalition with the PRD.

The models for Guatemala and Panama are put together because I used the same dependent variable: the modification of the status of the bill from normal to urgent. The results show two clear patterns, common for the two countries: 1) the use of this particular emergency procedure is significantly responsive to the electoral cycle; 2) the interactive effects do not add any good to the model (neither to the goodness of fit nor to the amount of variance explained).

Specifically, the goodness of fit for Guatemala and the amount of variance explained is higher than for Panama. Besides, the origin of the bill (Executive or Legislative branch) is only significant when the interactive effect of this variable with the electoral cycle is included, indicating that the Executive uses significantly more this mechanism for agenda control when the elections are closer, namely in the last period of the legislative term.

The models for Panama show a very poor fit and very low variance is explained. Hence, we cannot assert, even with the high significance of the models, that the use of this specific emergency procedure accurately explains the agenda control mechanisms. Nonetheless, as in the cases before, we can state that these variables have a significant effect on the use of passing legislation through the urgent procedure when they are all present.

In a comparative perspective, I have found evidence that the committee system and the emergency procedures are effectively used as mechanisms for agenda control in these countries, and actually in different ways. The common pattern is that these two mechanisms are more likely to be used when elections are closer. The differential pattern is that in the two bipartisan cases the Executive uses these procedures to get legislation passed, and moreover in interaction with the electoral cycle, whereas in the two multiparty systems there is no empirical evidence that this occurs systematically. This result goes against the hypothesis I had stated concerning the incentives of the Executive branch that faces a more fragmented legislative scenario. However, more refined models may be needed to accurately capture the structure of incentives of the branches. I spell out some possible more refined hypotheses in Section V of this paper.

#### **IV.2. Comparative analysis**

The last estimation I carry out in this paper is the one applied to the pooled dataset. In that way, I can account for the degree of polarization<sup>16</sup> and fragmentation of the legislative scenario, measures that, unless put in a comparative perspective, can only report descriptive measures of the party system. The independent variables are the dummy whether the Executive initiates the bill, the electoral cycle, a dummy to account for the country effect (putting together Honduras and Costa Rica on the one hand, and Guatemala and Panama on the other) and the figures of polarization and

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<sup>16</sup> The calculation of the index of polarization for the countries under analysis is found in Appendix 2.

fragmentation. In an extended model, I also include whether the bill was sent to one of the committees codified under economic affairs, in order to capture whether the use of emergency procedures is more likely when the bills have an economic content. Besides, as in the models before, I include the interactive terms in order to check for a significant effect of these.

For space reasons and clarity, I only report the three models that showed both a high goodness of fit and explanatory power. Suffice to say that none of the interactive variables delivered a significant result, both looking at their individual effect on the model and at the improvement in the goodness of fit and explanatory power of the model overall. The same pattern goes for the dummy variable majority party-all other parties, therefore not included in the following final models below.

Table 10. Logit model for dependent variable urgent or normal status of the bill in four Central American countries

Variables	MODEL 1	MODEL 2	MODEL 3
Constant	4,02e+13 (.000)	2,91e+15 (.000)	2,4e+15 (.000)
Legislative fragmentation (Rae)	1,009 (.002)***	,000 (.000)***	,000 (.000)***
Ideological polarization	1,157 (.000)***	1,1018 (.000)***	1,020 (.000)***
Electoral cycle	1,157 (.000)***	1,144 (.000)***	1,076 (.319)
Dummy Executive-Legislative proposing the bill	,779 (.017)	-	,659 (.095)
Dummy country (0=Costa Rica and Honduras; 1=Guatemala and Panama)	64,121 (.000)***	188,137 (.000)***	166,823 (.000)***
Dummy economic affairs committee-other committees receiving the legislative proposal	-	1,077 (.486)	1,019 (.938)
Interactive dummy origin of proposal*electoral cycle	-	-	1,103 (.255)
Interactive dummy origin of proposal*economic affairs committee receiving the bill	-	-	1,160 (.587)
MODEL FITTING			
N	1681	1701	1640
Pseudo R-square	,633	,665	,665
Chi-square	2716,714	2964,096	2854,390
Explanatory power	86,6%	87,8%	87,8%
Significance of model	,000***	,000***	,000***
Source: own construction. Values reported are the exp(B); between parenthesis the significance. ** means significant at the .05 level of confidence; *** significant at the .01 level of confidence. The maximum number of iterations was settled to 100.			

The results show that the degree of fragmentation and polarization are significant under all the specifications, thus showing the great importance of the conditions of the legislative scenario for the use of emergency procedures. Second, the dummy variable for country is also highly significant under all the specifications, showing that, in effect, there are different workings of the emergency procedures use under bipartisan countries than under multiparty countries. Besides, the variable accounting for the economic content of the bills is not significant individually, but increases the goodness of fit of the model when included, indicating that it has an effect when it is present together with the other independent variables in Model 2.

## V.- OPEN LINES FOR RESEARCH

“While there is no single model or easy solution for democratic political development (...) presidential institutions can provide a complex system of representation when bargaining, negotiation and compromise are essential”<sup>17</sup>

Notice that whereas Cox (2002) distinguishes between the ability to put bill on the floor/keep them off the floor and to protect bills from amendments in the floor as the two key mechanisms for agenda control, this paper has specifically focused on two mechanisms related to the second type of strategic behavior of the actors in order to exert agenda control. Thus, this paper leaves several open lines of research, showing the broad potential of the institutionalist theory when hypotheses, data and empirical work are backing it. I suggest three main lines for future research: 1) Expediency of the bills; 2) Multiply-referred bills; 3) Party discipline as independent variable. Again, they are still within the limits of the second type of mechanisms, namely which are the institutional procedures available for agenda control once the bill is already put on the legislative arena. However, for the analysis of which mechanisms prevent legislative proposals to come under consideration in the legislative arena, new data would be required. Indeed, whereas the data requirement is a demanding one for the institutionalist theory to produce empirical analysis, the previous stage of hypotheses building and project articulating is more strongly needed.

This paper has showed how simple hypotheses can produce complex analyses if the research question is framed by the institutionalist theory. The analysis shows that variables internal to the decision-making process have a significant effect on their own on the policymaking. Moreover, it shows that the inclusion of political variables, like the conditions of the legislative scenario and the time pressure imposed by the electoral cycle, significantly enrich the institutionalist perspective. Hence, I believe that the institutionalist perspective can foster new insights in both theoretical and empirical terms not only if an internal debate between the branches of the institutionalism is brought up to the surface, but also, importantly, if it increases the inclusion of other fruitful fields of research in the debate, thereby enriching the research agenda.

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<sup>17</sup> Von Mettenheim, 1997: 245.

## VI. CONCLUSIONS: THE POSSIBLE LINKS BETWEEN THE THEORY OF DEMOCRACY AND THE INSTITUTIONALIST THEORY

“A system of separation of powers does not mean that the Executive and the Legislative will necessarily have different political purposes. Since constitutions grant legislative powers to the chief of the executive, the two branches are rarely as separated as the checks-and-balances doctrine predicates”<sup>18</sup>

Close (1995) argues that “examining parliament shows if there are interests or opinions that are grossly over- or under-represented, thus providing a rough estimate of the polity’s inclusiveness. Second, looking at legislatures gives a sense of how and how well those in power are held accountable for their acts, an inchoate measure of a system’s constitutionalism. Third, the proceedings of representative assemblies help us gauge the conflict that arises over public issues and show how effectively that conflict is resolved”. This paper has proposed a comparative empirical model that deals with those aspects. Whereas the theory of democracy has excessively emphasized the role of stability and institutionalization for the survivability of democracies, little attention has been paid to which dynamics actually produce stability and institutionalization. Such works have primarily focused on issues like under what conditions a democratic breakdown is more likely (Przeworski et al, 1996) or under what conditions a transition to democracy is more likely (Linz, 1978). Another branch of that literature has explored the contribution of the party system institutionalization for the democratic institutionalization in Latin America (Mainwaring and Scully, 1995; Mainwaring and Shugart, 1997, Mainwaring, 1998). However, a more detailed insight to the procedural characteristics of the policymaking process, namely how is the policymaking procedurally produced, as the topic of this paper is, is lacking. In my view, the empirical examination of how from the very procedural design the outcomes can be manipulated opens a new way to measure which specific practices are becoming institutionalized. In that way, the research can account for which practices damage two key objectives of democratic regimes: social representation and interests’ aggregation. This research, in sum, shows how to build measurement criteria to evaluate a difficult aspect of institutions: their performance, by connecting the decisional mechanisms with the political outcomes.

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<sup>18</sup> Cheibub Figueiredo and Limongi, 2002.

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