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Unequal Votes and the Unequal Branch: Congressional Behavior and Neoliberalism in Argentina, Brazil, and Uruguay

Brendan V. Duke

Macalester College, BrendanVDuke@gmail.com

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Unequal Votes and the Unequal Branch: Congressional Behavior
and Neoliberalism in Argentina, Brazil and Uruguay

Brendan V. Duke

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Advised by Professor Paul Dosh

Macalester College

Department of Political Science

Abstract

Argentine, Brazilian, and Uruguayan presidents all supported neoliberal reforms. The reactions of their congresses, however, varied remarkably. The Argentine and Brazilian Congresses often ignored policy, approving reforms in exchange for pork and patronage. The Uruguayan Congress, on the other hand, often rejected reforms on policy grounds. This paper argues that the disproportionate rural tilt of the Argentine and Brazilian legislatures, which the Uruguayan legislature lacked, explains this discrepancy. Scholars have frequently referred to an overrepresented, underdeveloped periphery and underrepresented developed metropolis in Argentina and Brazil. I test this characterization, finding it generally true albeit with significant exceptions. I argue that overrepresented areas' lower development led to a weaker civil society, strengthening politicians who focus on pork. I also find that Argentine legislators from the exceptional developed but overrepresented areas received particularly large amounts of pork, giving them an incentive to agree to presidents' neoliberal agendas.

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Chapter 1: Introduction

Irony is not a quality typically associated with economic reforms. Argentina and Brazil's turn to neoliberalism in the 1990s, however, was an ironic one. The post-World War II histories of both countries revolved around a bitter battle between populist movements agitating for the expansion of the social state through electoral democracy and economic elites defending their privileges through authoritarian government. By the end of the 1980s, the oligarchy's authoritarian option had disappeared and it finally had to defend its interests in the democratic arena—exactly where it had lost in the past.

Surprisingly, economic elites succeeded in not only defending their privileges in the 1990s, but expanding them too. Democratically elected presidents (Menem and De la Rúa in Argentina; Collor and Cardoso in Brazil) implemented unpopular economic reforms such as cuts in social spending and the privatization of public companies. It seems that democracy in the 1990s had more success in making the sorts of changes that economic elites had long advocated than did the military regimes they had supported. On the other hand, the reason why presidents throughout this newly democratic continent adopted these unpopular reforms is quite clear: the international lending institutions whose loans they needed to keep their countries out of bankruptcy demanded their adoption (Stallings 1992; Vacs 1994; Teichman 2001). Presidents—many of them with leftist pasts—thus made the not unreasonable calculation that as painful as these reforms might prove, they would not pose as strong a threat to their fragile democracies as the chaos resulting from defaulted billion dollar loans.

Legislators, on the other hand, do not face the same constraints as executives. Accountable only to their constituencies, they may place themselves at electoral risk if

they vote in a way that directly harms their constituents—as the privatization of a major employer may do—but not necessarily receive credit for an ensuing economic recovery. Unless they are loyal to the president—and the provincial/state focus of Argentine and Brazilian federal politics limits the number of legislators with such strong loyalties (Ames 1995; Spiller and Tommasi 2006)—they have no incentive to vote to increase unemployment, cut social spending, and cause the costs of water and electricity to soar.

Yet, the congresses of both countries *did* generally support these deep, painful, and unpopular economic reforms. The Argentine Congress approved the sale of gigantic public industries like the state oil company, the convertibility law that pegged the Argentine peso to the U.S. dollar (and thus placed Argentine exports at a severe competitive disadvantage), and replaced the public retirement system with private pensions. Similarly, the Brazilian Congress allowed the privatization of public companies like the state telephone company, and major free market reforms of the tax and social security systems.

A look at the congress of Uruguay, a small country sandwiched in between Argentina and Brazil, reveals that legislative support for these economic reforms was not as automatic as executive support. Uruguayan presidents Sanguinetti and Lacalle faced the same international pressures as Collor and Menem, and advocated the same radical agenda. Their reforms lacked legislative support and did not become law as written by the executive like in Argentina and Brazil; only substantive compromise between the executive and legislative branches allowed any reform to occur (O'Donnell 1994). The Congress pushed back against the privatization of state-owned enterprises and the social security system, forcing the executive to compromise on both (Blake 1998). Why such disparate outcomes between these legislatures? Did the Argentine and

Brazilian legislatures approve reforms out of a greater loyalty to their presidents? Or did they have a greater ideological commitment to neoliberalism than the Uruguayan Congress? Or were they simply uninterested in economic policy?

Different Types of Legislatures

A closer examination of policymaking in all three countries during the 1990s reveals an even more notable difference in process than outcome. The process of economic reform that took place in Uruguay would not seem abnormal to a North American observer: the President wanted far-reaching economic reforms and the Congress mostly opposed them. They reached a compromise of ambitious reforms where agreement existed (tariffs) and milder measures where there was disagreement (social security) (Blake 1998).

The Argentine and Brazilian policymaking process, on the other hand, had a fundamentally different character. Large-scale reforms in the United States result from agreement between the executive and legislative branches or when public opinion is overwhelmingly in favor. Yet, the Argentine and Brazilian parties typically associated with economic elites lacked majorities in both congresses and there was no grassroots Thatcherian revolution in either country agitating for deregulation. Instead, the congresses usually abdicated their roles as policymaking institutions, giving the president mostly free reign, and generally did not reject the president's policy initiatives on substantive grounds (O'Donnell 1994). In exchange they demanded large amounts of federal resources for their constituencies (pork) and federal jobs (patronage). Both congresses would sometimes prevent the passage of economic reforms—the Brazilian

Congress quite often—but more because the president did not satisfy pork and patronage demands than because of the reforms’ policy substance (Ames 2002b).

Cox and Morgenstern (2001) have developed a typology of legislative behavior that provides a theoretical description for these different behaviors. The Argentine and Brazilian legislatures acted in a manner they call “venal-parochial” while the Uruguayan legislature acted in a “workable” (programmatic but willing to negotiate) manner. This study’s objective is to explain why the Argentine/Brazilian legislatures fell into one category and the Uruguayan legislature fell into another. It does not view its explanation as a monocausal silver bullet; the discrepancy between the Argentine/Brazilian and Uruguayan congresses’ behaviors was so large that a single cause is unlikely.

Legislative Malapportionment as an Explanation

Both the Argentine and Brazilian congresses share a key but often overlooked feature: the extreme overrepresentation of some populations and the correspondingly extreme underrepresentation of other populations. As in the U.S. Senate, the Argentine and Brazilian Senates allot an equal number of seats for each province/state. In the Argentine Chamber of Deputies (the lower house) each province has at least five deputies irrespective of its population and each Brazilian state has at least eight in its Chamber of Deputies. Combined with the large population differences between states and provinces in both countries, these allotments of seats create a high degree of “legislative malapportionment,” defined as the “discrepancy between the shares of legislative seats and the shares of population held by geographical units” (Samuels and Snyder 2001b).

A few examples illustrate the heavy malapportionment of both countries' legislatures. The least populous Argentine province, Tierra del Fuego, had a population of 100,000 in 2001 while the most populous province, the Province of Buenos Aires, had a population of almost 14 million. The rules of representation thus gave a voter in Tierra del Fuego 140 times the representation in the Senate and 10 times the representation in the Chamber of Deputies as a voter in the Province of Buenos Aires. Similarly, the least populous Brazilian state of Roraima had a population of 391,000 in 2006 and the most populous state, São Paulo, had a population of 40 million. A vote cast in Roraima was worth 105 times more in a senatorial election and 21 times more in a deputy election than a vote cast in São Paulo. In Argentina, 33% of the population elects 79% of the senate seats and in Brazil 44% of the population elects 73% of the senate seats. In their ranking of malapportioned national assemblies worldwide, Samuels and Snyder (2001b) rank the Argentine and Brazilian Senates as the first and second most malapportioned upper chambers respectively and their Chambers of Deputies as the 16th and 17th most malapportioned lower chambers respectively.

Uruguay, on the other hand, has very little malapportionment in its lower house because it only requires a minimum of two deputies per department and absolutely none in its upper house because it is elected from a single, national multimember district (Samuels and Snyder 2001). Could these differences in apportionment explain the different behaviors of the Argentine/Brazilian and Uruguayan congresses? Such strong malapportionment could affect the policymaking process and policy outcomes in stark but previously unnoticed ways. Only one previous study (Gibson and Calvo 2000, "Federalism and Low-Maintenance Constituencies: Territorial Dimensions of Economic Reform in Argentina") connects legislative malapportionment with the approval of the

radical economic agenda of the 1990s in either country. No study has previously considered Uruguay's correct legislative apportionment as a contributing factor to its relatively policy-oriented congress.

Outline of Argument

The central argument of this study is that legislative malapportionment was a lead contributor to the pork/patronage focus of the Argentine and Brazilian legislatures while the lack thereof allowed the Uruguayan legislature to fulfill its role as a policymaking institution. Chapter 2, the literature review, has two objectives. First, it will both define this study's relationship to existing scholarship on the three legislatures, legislative-executive relations, the enactment of neoliberal reforms, and legislative malapportionment. Second, it will refine existing concepts and expose their limitations in explaining the behavior of all three congresses. Chapter 3 will measure how over- and underrepresented areas differ on key demographic predictors of democratic success, and how this distinguishes the nation the congresses represent from the one they govern. Chapter 4 forges an explanation for exactly how malapportionment and differing scores on these predictors affects congressional behavior in the three cases. Chapter 5 argues that even lightly populated provinces/states that perform well on democratic predictors have congressional delegations that focus on pork and patronage because of how malapportionment influences the costs of buying votes through pork. Next, I outline the arguments of Chapters 3, 4, and 5 in greater detail.

Table 1.1: Cases, Scores on Independent Variables, and Scores on Dependent Variables

Case	Level of Malapportionment (Independent Variable)	Focus of Congress (Dependent Variable)
Argentina	High	Pork/Patronage
Brazil	High	Pork/Patronage
Uruguay	Very Low	Policy

Chapter 3: Measuring the Divide: How Does the Nation the Argentine and Brazilian Congresses Represent Differ from the Nation they Serve?

Previous scholarship on malapportionment in Argentina and Brazil divides both countries into two regions: a “metropolitan region” consisting of a contiguous area of the country where one finds the largest cities and the majority of the population and a “peripheral region,” which tends to be less densely populated since it contains the vast majority of the territory but a minority of the population (Gibson and Calvo 2000). In general, the metropolitan region’s population is richer and better educated than the population of the periphery. It is also the area that is the most underrepresented in both congresses.

Although scholars have long mentioned these differences in passing or even used them as the focus of their study (O’Donnell 1993; Selcher 1998; Gibson and Calvo 2000; Calvo and Murillo 2004), nobody has actually measured them before. I use Argentine and Brazilian census and U.N. Development Programme data in Chapter 3 to measure the developmental divide between the metropolitan provinces/states and the peripheral provinces/states. I find clear disparities between the metro and the periphery, but I also discover five provinces in the Argentine periphery and five states in the Brazilian periphery that display similar education, poverty, and human development

levels to their respective metros. This “highly developed periphery” is a new concept that previous scholars have not mentioned and plays the central role in the fifth chapter.

Next, I measure how much malapportionment increases the representation of areas that lag behind the rest of the country in development. I calculate the division between the nation the legislatures represent and the nation the legislatures serve on a critical measure of development, the U.N. Human Development Index (HDI). Using the state/provincial HDI indexes, I calculate their average apportioned as the chambers of deputies and senates are apportioned. This allows us to observe how many legislators representing constituencies above or below certain development levels malapportionment adds or subtracts as well as allows us to compare the nations the legislatures represent with other developing nations.

Chapter 4: The Hall of Mirrors and the Overrepresentation of Poverty

Previous scholarship demonstrates that civil society development, education, and widely distributed wealth contribute to a politics of inclusion (Oxhorn and Ducatzenzeiler 1999). Where a significant proportion of the population is undereducated and impoverished, politics is more likely to focus on pork and patronage. Malapportionment can create a critical distinction between the country a legislature represents and the country it serves: if areas that lag behind the rest of the country in education, wealth, and civil society development are overrepresented in the legislatures, then the legislature may act like the legislature of a less developed nation. The Argentine and Brazilian legislatures tend to overrepresent the less developed areas and underrepresent the more developed areas. This may account for them behaving differently from a similarly developed country like Uruguay—a country that does not

share the extreme regional disparities as Argentina and Brazil, and whose congress does not overrepresent its regions that do fall behind. In this way, malapportionment acts like a “hall of mirrors” at carnival since it takes certain features of Argentine and Brazilian society and distorts their influence in the legislature.

Chapter 5: Low-Maintenance and Lower-Maintenance Constituencies

Gibson and Calvo (2000) find that malapportionment played an important role in the passage of neoliberal reforms because it created an incentive structure that favored pork and patronage-based politics. More specifically, they argued that “low-maintenance constituencies”—lightly populated but overrepresented districts in which a relatively small amount of federal funds can work out to a considerable per capita sum—played an important role in the passage of neoliberal reforms in Argentina. I take the study of low-maintenance constituencies a step farther by examining how they interact with the first causal process: do they actually increase the number of legislators with a focus on pork or do they simply reinforce the orientation of legislators whose constituencies would suggest a focus on pork?

I find that the low-maintenance constituency logic played a key role in Argentina because some peripheral provinces that were highly developed were also the least populated. These constituencies score at least as well as metropolitan provinces in the demographic characteristics measured in Chapter 3 but their voters/legislators acted in a manner more similar to other peripheral provinces than metropolitan provinces. I explain this behavior through their particularly low populations, making them “lower-maintenance constituencies.” I hypothesize that these provinces tended to receive particularly large amounts of federal resources per capita because their affluent,

educated residents would only allow their members of congress to vote for unpopular economic reforms if they were well compensated. I test this by applying the highly developed and less developed periphery distinction to Calvo and Gibson's data for Argentina and similar data in Brazil. This reveals that the increase in discretionary funds which Calvo and Gibson emphasize was concentrated in the highly developed periphery and the share that went to the less developed periphery actually declined during the 1990s. Thus the low-maintenance constituency argument applied to a select few cases in Argentina. In Brazil, the highly developed periphery did not receive as disproportionate a share as in Argentina, most likely because it is not as underpopulated.

Uruguay provides a particularly interesting contrast because its senators are elected from a single, nationwide district. This eliminates not only the ability of the executive to divide and conquer efficiently through low-maintenance constituencies, but even to divide and conquer inefficiently through separate constituencies since senators are only responsible to the nation.

Why the Argentine and Brazilian Congresses acted so differently from the Uruguayan Congress is a puzzle deserving explanation. All three followed the same political trajectory since the 1970s, have similar midlevel GDPs, agricultural export-based economies, and Argentina and Uruguay share strong cultural similarities. This study constitutes a Most Similar Systems Design with differing levels of legislative malapportionment as the explanatory variable. Legislative malapportionment affects congressional behavior in an indirect, procedural manner and thus requires extensive explanation. Through a rethinking of the literature on the legislative politics of South

American economic reform, analysis of demographic and federal tax data, and the application of existing qualitative knowledge, this study will clarify the relationship between congressional strength in policymaking and legislative malapportionment.

Chapter 2: Literature Review

Electoral Rules and Ambition in Latin American Legislatures

Scholars have traditionally seen Latin American legislatures as minor players in the policy process (Morgenstern 2002, 1-2) and therefore have focused more on the central traditional players in Latin American politics: presidents, oligarchic parties, populist parties, militaries, and governors. Recently, however, scholars have begun to examine legislatures in greater detail, using many of the concepts and techniques scholars have used to study the U.S. Congress. Principle among these has been David Mayhew's notion that legislators are "ambitious" and that by understanding their ambition we understand the central drivers of their behavior (Morgenstern 2002, 16-18). Key determinants of legislators' ambitions are the electoral system and the nation's common political career paths. Understanding how institutions and legislator's ambitions interact and influence one another has yielded an impressive amount of information on the internal workings of legislatures as well as resulting outcomes.

What follows is a summary of what existing literature tell us about the selection of legislators in all three cases and how it affects their voting behavior.

Table 2.1: Election Systems and Legislative Voting Behavior in Comparative Perspective

	Lower House Election System	Upper House Election System	Determinants of Voting Behavior
Argentina	Proportional representation, multimember districts, closed ballots	Provincial legislatures elected senators until 1994. After 1994, winning party in popular vote receives two seats and runner up receives three	Province and party are very strong determinants of voting behavior
Brazil	Proportional representation, multimember districts, open ballots	Popular election	State is a fairly strong and party is a weak determinant of voting behavior
Uruguay	Multimember districts, double simultaneous vote	Double simultaneous vote in national multimember district	Faction (<i>sublema</i>) is a strong determinant of voting behavior

Argentina

Argentina is a federal, presidential republic consisting of 23 autonomous provinces and a semi-autonomous capital city.¹ The legislature is bicameral, with a Chamber of Deputies (theoretically) apportioned based on population and a Senate apportioned based on provincial territory. There are 257 federal deputies and provinces serve as multimember districts, electing anywhere from five to seventy deputies. Deputies are elected on closed party lists and seats distributed proportionally. Until recently, the senate was elected in the same manner as in the United States before the seventeenth amendment, with provincial legislatures electing two senators in staggered terms. After the 1994 constitutional reform, however, each province received three senators, two senators going to the winning party and the third going to the runner up. There are currently seventy-two senate seats.

Despite a similar constitutional structure to the United States, the Argentine Congress functions very differently from the U.S. Congress. First, Argentina's closed

¹ For the purposes of this study, I will refer to the Federal Capital as a province since the same laws apply to it for purposes of federal legislative representation.

list party ballots give provincial party bosses a great deal of influence over deputies since they have almost unchallenged power in deciding who appears on the ballot and in what position the list (Jones 2002). Moreover, both deputies and senators rarely serve more than one term and usually opt to return to the province to work in the provincial party boss's machine instead of seek reelection (Jones et al., 2002). Second, clientelism and patronage play a more central role in Argentine than in U.S. politics, functioning as the prime electoral strategies that provincial party machines use to gain power and elect their federal legislators. The power of the pork barrel in many Argentine provinces places the party boss at the center of provincial politics, meaning that he can use clientelism and patronage to make any primaries go his desired way (De Luca, Jones, and Tula, 2002). Members seek to serve the provincial party boss for one term instead of spend decades gathering the power to formulate national policy as in the U.S. Congress.

Party bosses generally focus on provincial politics and "loan" their congressional delegation to the national legislative party leadership on most matters (Jones et. al, 2002). Other times, they use their congressional delegation to bargain with the executive to extract federal resources for their partisan machines (Hwang and Jones 2006). Party bosses often serve simultaneously as governor, melding the demands of partisan machines and provincial governments. This can result in massive resource transfers from the federal government to the provinces as presidents need to buy votes to enact their national agendas (Eaton 2006). Though scholars often call governors a "fourth branch" of government in federal systems, Argentine governors can supplant the legislative branch through their control of it.

Argentine electoral politics and the ambition thus help explain legislators' focus on pork/patronage. On the other hand, these explanations do not describe why Argentine voters respond more to pork and patronage than to policy when voting for congress. As I will explain in greater detail in Chapter 4, development generally decreases the efficacy of pork and patronage in winning votes and Argentina was a highly developed country in the late 1980s and early 1990s. Argentina's U.N. Human Development Index (the global measure of development) in 1992 was higher than every new Eastern European democracy and slightly lower than consolidated democracies like Luxembourg and Ireland—none of which had legislatures as venal as the Argentine legislature (Human Development Report 1992). Any complete explanation for the Argentine legislature's behavior must explain why its voters responded positively to the types of political machines that its electoral system enabled.

Brazil

The broad outlines of the Constitution of the Brazilian Republic are similar to those of the Argentine: a federal, presidential republic with twenty-six autonomous states and an autonomous federal district. The Chamber of Deputies and Federal Senate serve the same representative functions in Brazil as in Argentina. The Chamber consists of 513 deputies who are elected to four-year terms. Significantly, they are elected on *open* party lists and proportionally represented with the states serving as multimember districts, electing anywhere between eight and 70 deputies. Voters can vote for a candidate or a party, and the votes for a party's candidates are pooled together to determine how many seats the party wins. The candidates with the most votes on each party list win the seats allocated to their party. The Federal Senate consists of 81

members, with each state and the federal district receiving three senators. Senators serve eight-year terms in alternating cycles and are elected by popular vote.

The combination of an open list ballot, proportional representation, and large multimember districts has created a famously dysfunctional party system in the Brazilian Chamber of Deputies. Since candidates for the Chamber must compete against as many as sixty-nine other members of the same party for a seat, significant intraparty competition exists (Mainwaring 1992, 26-28; Ames 2002a, 65-74). Candidates focus on their own campaigns and seek to undercut fellow party members instead of focusing on raising the total party vote as makes sense with a closed-list. Deputies even change parties as it suits their clientelistic needs, making party affiliation a terrible predictor of voting patterns. Deputies must differentiate themselves from other party members and focus on clientelistic relationships with certain neighborhoods and municipalities to win election.

Pork barrel and patronage play an even more important role in Brazil than in Argentina. Provincial party bosses use their access to state and municipal resources to bring Chamber candidates and deputies into their party since they depend on those resources to win election to the Chamber or for their post-Chamber careers (Mainwaring 1992, 682). In this way they can use their legislative leverage to bring federal resources into the province, as studies of the Joint Budget Committee show (Ames 1995). Nevertheless, the relationship between bosses/governors and deputies is more provisional than in Argentina because of the weak role parties have with the open list ballot and deputies will often change parties, the term for which is appropriately “party-renting” (Despostato 2006). The Brazilian Chamber of Deputies is therefore much more difficult to govern than either the Argentine Chamber or Senate because of

the dysfunctional party system. The Brazilian president must always govern as if his party is the minority party in Congress (even if it is in the majority) and create a legislative coalition for *each* bill, an expensive and difficult task.

The political ambition that results from a dysfunctional party system provides an important explanation for why the Brazilian Congress focuses on pork and patronage. Unlike Argentina, Brazil had only reached a medium level of development in the early 1990s and thus its congress's strong pork/patronage focus should not surprise observers. On the other hand, large portions of the South and Southeast—where the majority of the population lives—display relatively high levels of development, levels only slightly below Argentina. We should thus expect a strong presence of legislators who do not operate venally, but descriptions of the Brazilian Congress do not mention much of one. This discrepancy requires explanation and political ambition does not explain it for the same reason as it does not in Argentina: why do voters respond to pork and patronage instead of policy?

Uruguay

As opposed to its neighbors, Uruguay is a unitary republic. Its Congress is known as the “General Assembly” (*Asamblea General*) and is divided into a lower Chamber of Representatives and an upper Chamber of Senators. The Chamber of Representatives consists of ninety-nine representatives elected in multi-member districts (departments, the Uruguayan subnational unit, serve as the districts) with each department receiving at least two seats. The Chamber of Senators consists of thirty members in addition to a vice president who has a voice and vote in the chamber.

Senate elections have no territorial component: senators are elected from one multimember district encompassing the whole country.

Uruguay uses a “double simultaneous vote” (DSV or *ley de lemas*) for legislative elections, which places primaries and general elections onto one ballot. Each party is formally termed a *lema* and can present several closed lists of candidates within that party termed *sublemas*. *Lemas* receive the share of seats in the legislature proportional to the percentage its *sublemas* won and each *sublema* receives the proportion of those seats that it won within the *lema*. Importantly, candidates are linked: a voter choosing one *sublema* for president can only choose senate lists within that *sublema* (a “*subsublema*” so to speak), and then only choose a representative list tied to the senate list chosen (a “*subsubsublema*” so to speak). A 1996 constitutional reform delinked presidential elections, establishing a separate election date but the connection between senate and representative lists remained (Cason 2000).

What are the most important influences on legislators’ behavior in Uruguay? As a unitary republic, there are no governors to influence members of congress in Uruguay as there are in Argentina and Brazil. What about parties? Throughout most of the twentieth century, two highly pragmatic parties dominated Uruguayan politics: the Partido Colorado and the Partido Nacional, better known as the Partido Blanco. Despite the stability and enduring nature of these two parties, however, the DSV system was actually originally developed to maintain independent but internally disciplined factions within the parties (Cason 2000). Morgenstern (2004) unlocked the patterns behind Uruguayan legislative behavior in his study of roll call votes and found that *sublemas* display a high degree of unity while *lemas* themselves rarely do (2004).

Sublemas not only tend to vote together but they also have major ideological orientations, with a real right wing, left wing, and center (Morgenstern 2004, 76-77). Though the Partido Colorado and Partido Blanco (*lemas*) tend toward pragmatism and are generally non-ideological, *sublemas* within the same *lema* often campaign against one another and win elections on ideological bases. Further contributing to the programmatic nature of Uruguayan legislative politics is the emergence of a coalition of fractured leftist parties called the *Frente Amplio* (the Broad Front). The *Frente Amplio* grew in popularity during the 1980s and 1990s, and distinguishes itself from the other parties with its highly ideological character on the *lema* level.

The combination of ideological, programmatic *sublemas* in the Blanco and Colorado parties, and the ideological Frente Amplio helps create a political system in Uruguay that focuses on policy and not pork. The *sublema* also discourages clientelism because of their closed lists like in Argentina and the single national list for senate, which should force legislators to think in a more national manner. Uruguay's electoral system is thus an important part of the explanation for the differing outcomes this study seeks to explain. On the other hand, Morgenstern and Cason only show that *sublemas* and the Frente Amplio determine voting behavior on a programmatic basis. They do not explain *why* the basis is programmatic and not centered around pork and patronage.

In conclusion, the electoral system the ambition of legislators in all three cases is an important influence on how the legislatures act. The focus on clientelism and patronage in Argentine and Brazilian politics gives party bosses a significant amount of leverage in the federal government since they exercise strong control over legislators' careers. Argentina's closed-list ballot, however, strengthens parties in the legislature

while Brazil's open-list ballot makes them highly unstable and unable to discipline their members. On the other hand, the development levels of Argentina as a whole and important parts of Brazil predict that clientelistic politics would not be nearly as successful with voters as they were. Political ambition and electoral systems help explain the behaviors of the congresses, but do not tell the whole story. Finally, the DSV in Uruguay solidified the power of strong, disciplined, and programmatically focused intra-party factions in Uruguay instead of parties. In the next section, I examine how the features discussed here affect interaction with the executive branch in policy formulation.

Legislative-Executive Relations

How large a role do legislatures play in policy formulation? I answer this question by viewing it as a zero sum game of legislative-executive relations. If the legislature plays a strong role in policy formulation, this leaves less power for the executive branch while if a legislature plays no role in policy formulation, the executive has a monopoly on policy. Moreover, I consider a legislative branch that focuses more on pork barrel politics instead of national policy formulation as a weak player since this often means giving the executive a monopoly on policy as long as the legislature is satisfied with the amount of pork it receives.

To give the characterizations of the different legislatures a more rigorous theoretical grounding, I use Cox and Morgenstern's typology legislative-executive relations with some modifications. This typology describes the president's level of support in the legislature and the appropriate strategies for enacting his or her agenda (Cox and Morgenstern 2002, 453): imperial executive/recalcitrant legislature, dominant

executive/subservient legislature, coalitional executive/workable legislature, and nationally-oriented executive/venal-parochial legislature. Using the whole of Morgenstern and Nacif's book on Latin American legislatures as his empirical basis, Morgenstern summarizes that constitutional design, legislators' ambitions, the legislature's partisan composition, and the electoral system determine the legislature's and thus the executive's category (Morgenstern 2002 441). This typology is a helpful tool for moving discussion of Latin American legislatures beyond Mezey's (1979) typology of legislatures based solely on democratic support and policymaking power.

Nevertheless, I have two objections to their discussion of their typology, one empirical and the other theoretical. First, I believe that they mischaracterize the Argentine and Brazilian Congresses and assign them the wrong categories by not distinguishing sufficiently between behavior and outcome. Second, classifying whole legislatures is not as analytically useful or even as accurate as classifying individual legislators and placing them into groups based on their category. In this section, I elaborate on these criticisms, apply them to my cases, and then relate them to my study.

Typology as Applied to Argentina, Brazil, and Uruguay

As useful as Cox and Morgenstern's typology may be, it is easy to conflate behaviors—which it seeks to explain—and outcomes when using it. Their two “extreme” types of legislative behavior, recalcitrant and subservient, always signify a certain outcome, negative in the former and positive in the latter. The workable and venal-parochial behaviors, however, do not guarantee either outcome. If a legislature is

workable, the result will be positive or negative depending on the executive's ability to compromise with congress. If it is venal-parochial, the result will depend on the president's ability to satisfy congress's venal-parochial demands.

Of my three cases, Uruguay in the 1990s most clearly corresponds to Cox and Morgenstern's classification of it as coalitional/workable (Cox and Morgenstern, 456) as I explained in the introduction. However, I take issue with Cox and Morgenstern's classifications of the Argentine and Brazilian Congresses since they underplay their intensely venal-parochial natures by emphasizing outcomes instead of their actual behaviors.

Morgenstern classifies the Argentine Congress as similar to the subservient Mexican Congress, except for when both branches are held by different parties (Morgenstern 443). However, Menem's far-reaching statutory reforms required significant amounts of pork for congressional approval, even after the opposition lost its majority in the House of Deputies. Such pork took the forms of shielding some areas of the country from neoliberal reforms (Gibson and Calvo 2000) and modifying the Federal Tax Sharing Agreement to favor certain provinces (Bambaci, Saront, and Tommassi 2002; Eaton 2006) as just two examples. This behavior is clearly venal-parochial and proved so expensive to the country—both examples I gave contributed to the 2001 financial collapse—that Menem and De la Rúa would not have given into it unless a not-so-subservient congress forced them. Venal-parochial is thus a more accurate characterization of this behavior.

Morgenstern's classification of Brazil proves even more troublesome. Morgenstern even concedes that classifying it proved difficult and categorized it as “between the *recalcitrant* and a relatively *venal-parochial* variety of a *workable* type”

(Morgenstern 2002, 443). The Brazilian Congress's instances of recalcitrance may in fact be venal-parochiality often with negative outcomes. For example, Cardoso's push for privatization of Social Security proved unsuccessful because he found the cost of providing enough pork too high even after he had promised deputies lucrative directorships of state owned firms and to take over the city of São Paulo's massive debt (Kay 1999, 414). Thus, the Brazilian Congress was not opposed in principal, but simply demanded a price that was too high for the president. True recalcitrance is when a legislature does not even consider a proposal and Kay shows that the Brazilian Congress *did* consider Cardoso's most unpopular reform, but only rejected because he did not give enough pork.

Morgenstern's classification of the Brazilian Congress as sometimes a "relatively venal-parochial variety of workable" is curious since he provides no examples of it every being a "workable" legislature. Ames writes:

Brazil's legislature is quite active, but the Congress accomplishes little on its own initiative, and its activism often results in obstructing presidential proposals even though a majority of deputies have few objections to the policy innovations themselves. Instead, presidential proposals are subject to intense bargaining over extremely parochial substantive interests and over pork and patronage (2002, 156).

This quote justifies placing the Brazilian Congress firmly into the venal-parochial column.

If the Argentine and Brazilian congresses are both venal-parochial, we are left with the dilemma of why the Argentine Congress ended up accepting most of Menem's agenda to the letter while the Brazilian Congress rejected a significant portion of Collor and Cardoso's. While the differences between categories are about the very nature of executive-legislative interaction—if they negotiate and what they negotiate over—

intracategorical differences are about degree, i.e. how much pork it requires to pass a bill in a venal-parochial legislature. It is not a question of *whether*, but *how much*. The factors Morgenstern describes as defining a legislature's category (the electoral system, the party system, legislators' progressive ambition, and the legislature's partisan composition) also help explain these intracategorical differences. For example, Brazil's fragmented party system means that the president has to forge a coalition in Congress for each of his bills, requiring him to satisfy the venal-parochial demands of legislators multiple times—which becomes very expensive. Argentina's stronger party system and party discipline in Congress, however, means that presidents have to spend significantly less resources since their venal-parochial coalitions² are more stable.

My critique of Cox and Morgenstern's application of their typology of legislatures and executives places the Argentine and Brazilian legislatures (venal-parochial) into one category and the Uruguayan legislature into another (workable). Using their terminology, this study will provide an explanation to this puzzle: why were the Argentine and Brazilian legislatures venal-parochial and the Uruguayan legislature workable?

Applying the Typology to Individual Legislative Behavior

An even more fundamental issue with Cox and Morgenstern's typology is that classifying whole legislatures in countries as politically diverse as Argentina and Brazil can hide important insights. Legislatures are collections of different actors, each with their own motivations and influences. Applying the typology to individual legislators instead of the entire legislature would increase its explanatory power since behavior

² Levitsky (1999) demonstrates that Menem helped change the Peronist Party into a party based on pork, patronage, and clientelism.

varies on the level of individual legislator. Moreover, calculating the number of legislators in one category may help us truly understand the actions of legislatures, especially in assemblies where party affiliation means little. The oscillation of a legislature between one category and another may in fact reflect the behavior of a few legislators who determine which side the majority falls on.

A good example of different legislators in the same institution falling into different categories would be the passage of the 2000 labor reform bill in Argentina. This was a highly controversial measure since it would loosen Argentina's labor market and weaken unions, one of most powerful traditional actors in Argentina. Leftist senators like Eduardo Duhalde attempted to obstruct it and later voted against it out of recalcitrance while government supporters voted for it out of subservience. Before the vote on the law, supporters did not appear to have the votes to win passage. A "compromise" emerged that moderated some of the policies like reducing changes in collective bargaining and preventing reductions in salaries, gave \$160 million to the provinces, and, as was later discovered, involved the personal bribery of senators with government funds (Gutierrez and Quiro 2000). Although it is difficult to know which approach brought the vote of which senator, it is safe to assume that there were senators who voted for it because of the changes in policy (workable), the increased amounts of pork (venal-parochial), or the bribery money since the government would have preferred a bill as close to the original pass.

In the case described above, the legislature did not clearly fall into one of Cox or Morgenstern's categories—even though individual senators clearly did. This requires a reconceiving of the typology, that we scholars should think of legislatures not as being a certain category but holding different sized groups of legislators in those categories.

Thus the Argentine and Brazilian legislatures had a much larger share of legislators operating in the venal-parochial mode than the Uruguayan legislature, which had a large share of legislators operating in a programmatic-workable mode.

This analysis suggests that the success of a policy in Congress is dependent on two variables: first, the number of legislators in each mode and second, the success of the executive in meeting the demands of legislators in the venal-parochial and workable modes. The different results of executive support for neoliberal reforms in Argentina and Brazil stem from the second variable: Menem satisfied the venal-parochial desires of his legislature more successfully than did Collor and Cardoso. The variation between Argentina/Brazil and Uruguay, however, appears to be a function of the first variable. This raises the question of *why* the venal-parochial factions in Argentina and Brazil were so much larger than that of Uruguay. Here, legislative malapportionment could prove particularly important.

Neoliberal Reforms

Neoliberal reforms present an excellent opportunity for us to compare executive-legislative relations since the agenda was universal for each country and executives were nearly universally supportive of them by the 1990s. In this section I examine how well leading theories explain the implementation of reforms in my three cases.

Scholars have already thoroughly examined the content of “The Washington Consensus” (Williamson 1994) as well as the degree to which different countries enacted it. A more diverse set of theories explain *why* presidents in those countries—often times led by populist leaders who won office campaigning *against*

neoliberalism—almost universally chose to enact deep, painful reforms. These explanations include international financial institutions using debt to push adoption of reforms (Stallings 1992; Vacs 1994), domestic elites cooperating with international elites out of a shared belief in neoliberalism (Teichman 2001), and hyperinflation increasing the appetite for radical change (Weyland 2002). These three explanations placed together offer a compelling explanation for the almost universal support for neoliberal reform among Latin American executives in the 1990s.

Nevertheless, support for neoliberal reforms among Latin American legislatures was much less universal among Latin American congresses. Venezuelan President Pérez's neoliberal reforms led to nowhere except his own impeachment while President Menem reshaped the Argentine state and the axis of political debate within his first term. As a result of the plethora of single and comparative studies explaining the success or failure of the passage of neoliberal reforms in legislatures, the literature on this topic in Latin America is vast. I will confine my overview to the literature that affects my cases.

Haggard and Kaufman (1995) find that two institutional variables influenced enactment of economic reforms in emerging democracies. First, executive authority could allow the president to move around a recalcitrant legislature (163-168). Nevertheless, they found it insufficient when the second variable was lacking: a stable, cohesive party system instead of a fragmented, polarized one (170-181). The former, argue Haggard and Kaufman, creates political competition for the center, allowing parties to act pragmatically instead of painting themselves into an ideological corner. This proved true in the Brazilian case since several parties unable to discipline members dominated Congress. President Collor attempted to govern around this ungovernable

Congress by decree while President Cardoso, using a combination of decrees and skilled negotiating, passed important reforms but still encountered difficulties by the end of his term.

Applying this analysis to Argentina, they find that Menem used decrees extensively and also managed to maintain his political base through his strong connections to the Peronist Party. Haggard and Kaufman are less clear about why the Peronist Party stayed with Menem, since it had had a strong programmatic element, only saying that “advantages” kept them within the party. Numerous other studies (Levitsky 2003; Hwang and Jones 2004) make clear that these advantages were the federal resources that fuel clientelism and patronage in the provinces. Levitsky demonstrates that though the Peronist Party was not a purely pragmatic party when Menem took office—as Haggard and Kaufman argue is crucial for neoliberal reform—he transformed it into one (2003).

The Uruguayan case, however, proves difficult for Haggard and Kaufman’s theory. Uruguay, with its strong, pragmatic party system should have easily enacted neoliberal policies but it did not. Although President Sanguinetti used his executive powers to limit the size of the budget and set public-sector salaries (Haggard and Kaufman 1995, 217), he still could not implement reforms as strong as those in Argentina. Haggard and Kaufman point to Uruguay’s public referendum as the reason for its slow approach, using the example of an increase in social security benefits that had been approved by referendum that made the government’s efforts to privatize the system (1995, 218). As important role the referendum has had in shaping Uruguayan public policies, it cannot explain the failure of four relatively modest reforms of the social security in the legislature after the referendum (Blake 1998, 12). O’Donnell

argues that the reason President Sanguinetti never enacted a neoliberal “package” like in Argentina and Brazil not because of the referendum, but because “the elements of secrecy and surprise that seem so fundamental to...packages are *de facto* eliminated” by a strong Congress (O’Donnell 1994). Uruguay’s referendum system certainly prevented presidents from enacting unpopular neoliberal reforms, but a strong congressional role did as well. Executive powers and party systems do not explain presidents’ mediocre success in passing reforms through Congress in Uruguay.

Weyland gives another explanation for the differing successes of executives. He argues that the worse the economic crisis, the more support exists for painful and risky reforms (Weyland 2002, 252). Argentina and Peru’s deep economic crises meant that executives could push reform farther than in Brazil, where the crisis was not as profound, and especially in Venezuela, which had not experienced hyperinflation. Applying this explanation to the Uruguayan case, however, proves problematic. Although Uruguay did not experience the particularly destabilizing effects of hyperinflation like its neighbors, the military regime saw the real GDP decline by a sixth in its last two years, unemployment rise to 13%, and inflation reached a high if not hyper level of 72% the year it left office. The unrest that this economic crisis fomented was a key factor in the overthrow of the military regime—making it sufficiently disruptive to argue that Uruguay had entered the “domain of losses” that Weyland argues is the driver behind the enactment of neoliberal reforms (Haggard and Kaufman, 48-49). Nevertheless, Uruguay’s first post-transition president, Sanguinetti, could not pass the majority of his reforms beyond trade liberalization through a Congress resistant to change. According to Weyland’s theory, the opposite should have been the case in Uruguay—that there should have been widespread support for change to escape the

domain of losses. Uruguay thus proves a problematic exception to both Haggard and Kaufman, and Weyland's theories of implementation of neoliberal reforms.

Sacrificing Democracy for Economic Reform

What becomes clear from an analysis of the Argentine and Brazilian congresses during the period of economic reforms is that they did not fulfill their obligations as the legislative branch—thus harming the quality of democracy in these newly reemerging polyarchies. Why were these congresses such minor players in the debates over structural adjustments?

One theory posits that high rates of legislative turnover explain the inactive legislature. While studies of the U.S. Congress have shown that legislators' ambitions are "static" (Schlesinger 1966), that is they plan to stay and build careers there, legislators in Latin America usually display "progressive ambition," planning to build careers outside of Congress (Morgenstern 2002, 13-17). This progressive ambition is showcased in low levels of reelection: only 43% of legislators sought reelection and won in the 1995 Brazilian election while the number was 17% in the 1997 Argentine election (Altman and Chasquetti, 2005). Spiller and Tommasi argue that in Argentina, "legislators have little incentive to specialize, to acquire policy expertise or to develop strong congressional institutions" since so many plan to serve only one term which is a prime cause for congress's weak policy role (2006, 53). Ames argues similarly that Brazilian deputies "find it better to concentrate on delivering pork to their districts" than concentrate on acquiring legislative or policy skills since they will not build their careers in the institution (2002, 142).

Although a connection between congressional weakness and high turnover rates makes sense, Uruguayan reelection rates should give us pause. The Uruguayan Congress is the strongest in South America, but its reelection rates are only slightly better than Brazil's: 47% ended up returning to office in 1999 as opposed to 43% in Brazil in 1995 (Altman and Chasqueti, 2005). Thus high turnover rates and short time horizons for Argentine and Brazilian legislators are poor explanations for their weak roles in policy formulation since this relationship does not exist in Uruguay.

Oxhorn and Ducatenzeiler argue that Latin America has never been able to liberalize economically and politically at the same time because that the region's strong socioeconomic inequalities have prevented the emergence of a strong civil society, a key mediator between the two (Oxhorn and Ducatenzeiler 1999, 15). This helps explain the use of decrees that pushed constitutional limits in the implementation of far-reaching reforms as opposed to more democratic statutes in Argentina and Brazil. Moreover, legislators' venal-parochial behaviors are less "democratic" than workable behaviors since they in effect allow the president to do as he wishes, only limiting him by their demands. However, this theory does not immediately explain the different outcomes in Argentina and Uruguay since their levels of inequality during the 1980s (when the countries set on their different courses), as measured by the Gini coefficient, were similar: 43.65 for Uruguay in 1981 and 44.51 for Argentina in 1986 (World Bank 2007).

However, legislative malapportionment may help explain this discrepancy. As they point out in a footnote, there exist important subnational socioeconomic inequalities as well (39 fn 8). Since poor, rural areas with low levels of civil society and economic equality are overrepresented in the Argentine Congress, combining

Oxhorn and Ducatzenzeiler's theory of civil society with a closer analysis of the effects of legislative malapportionment may go a long way in helping explain this difference between Argentina and Uruguay.

Legislative Malapportionment

Although malapportionment has been a long recognized feature of legislatures, scholars have only recently begun to study it in depth. What follows is a two-part literature review on the subject: the first part analyzing how malapportioned my cases are, the second engaging the more recent literature that analyzes its affects in Argentina, Brazil, and Latin America.

Measuring Legislative Malapportionment

Samuels and Snyder developed the first comparative measure of legislative malapportionment by taking "the absolute value of the difference between every district's seat and population share, addi[ing] them, and then divid[ing] by two" for every legislature in the world (2001b, 655). This gives scholars an interval measure of legislative malapportionment and allows for a more detailed cross-national analysis of malapportionment than before.

Samuels and Snyder find that Argentina has the most malapportioned upper house and 16th most malapportioned lower house. There also exists an important socioeconomic component to this malapportionment as well: the five most developed provinces hold 70% of the population and 78% of the industrial production but only 21% of Senate and 55% of Chamber seats (Gibson, Calvo, Falleti, 2004). The combination of heavy malapportionment and the underrepresentation of the most

developed sections exists in Brazil as well. Samuels and Snyder find it has the second most malapportioned upper house and 18th most malapportioned lower house in the world. The developed Southeast makes up of 42.7% of the population but only held 34.9% of the seats in the Chamber of Deputies while the less developed North held 6.8% of the population but 11.1% of seats in 1997. During the mid-1990s, the six most developed states held 58.3% of the population and produced 79.7% of the GDP—but only held 48% of the seats in the Chamber of Deputies (Selcher 1998, 35). These discrepancies are even more acute in Senate. The socioeconomic component to malapportionment should have important ramifications for the quality of Argentine and Brazilian democracy as scholars from Lipset (1959) to Pzeworski and Limongi (1997) have seen wealth as an important determinant of the success on democracy. Unfortunately, no scholars have measured how much less developed (economically or socially) overrepresented sections of either country beside the GDP measures mentioned above or studied its ramifications in more than passing.

The Uruguayan congress, on the other hand exhibits very little legislative malapportionment. The minimum number of deputies in its lower house is two, which, especially in a small and densely populated country, produces very little malapportionment. Uruguay most distinguishes itself from its neighbors in senate apportionment: whereas the Argentine and Brazilian Senates are the most malapportioned in the world, the Uruguayan Senate has *no* malapportionment since it is elected from a single, national district. Comparing the effects of malapportionment between Argentina and Brazil on one hand, and Uruguay on the other is thus a fertile ground for research because of this wide disparity.

The Study of Legislative Malapportionment

As Samuels and Snyder wrote when they firmly placed legislative malapportionment on the comparative politics map, the literature on the political consequences on electoral laws “has largely neglected” malapportionment, “a fundamental characteristic of many of the world’s electoral systems” (2001b, 652). It is curious that so many comprehensive studies of electoral regimes have ignored the significance of malapportionment. Some studies had found legislative malapportionment undemocratic, declaring it a violation of Dahl’s “one person, one vote” principle (Gudgin and Taylor 1979; Taagepera and Shugart 1989, 17-18), but not analyzed its effects beyond strictly normative considerations.³ Since 2001, however, a number of studies have been either dedicated to studying the effects of legislative malapportionment on policy or have integrated it into a larger study.

As the most heavily malapportioned region, scholarship on legislative malapportionment on Latin America has been particularly fruitful. In “Devaluating the Vote in Latin America,” Samuels and Snyder go beyond criticizing the violation of “one man, one vote” to a more detailed examination of the negative effects of legislative malapportionment. First, they find that it strengthens rural conservatives in Latin America since the areas of the country they control are overrepresented, thus creating “distortions in the ideological biases of legislatures” (2001a, 151). Second, it creates an “estrangement between the legislative and executive branches” because in nations like Argentina and Brazil a presidential candidate can win with an urban coalition, but have a hard time assembling a governing coalition due to the rural orientation of Latin American legislatures. Third, it holds the president hostage to rural interests since he or

³ For a list of the pre-2001 literature, see Samuels and Snyder 2001, 652.

she must “buy” their support through pork barrel payoffs. Fourth, it allows “subnational authoritarian enclaves” in the periphery to fend off successfully attempts by the center to remove oligarchic control.

Samuels and Snyder also find that some of these effects were the intended consequences of electoral reforms under military and populist regimes, which regarded voters as “pragmatic” in the periphery than in the urban metro, and thus increased their electoral strength. The politically heterogeneous center threatened both types of regimes: the key opponents to military rule, the student and labor movements, as well as the main opponents to populism, the middle class, were heavily concentrated in cities in the metropolitan areas. Even though the militaries and populist regimes were bitter enemies in both countries, the pragmatism of caudillos in the periphery meant that they would always support the government in power—which military and populist regimes always expected to be.

Country-Specific Studies

Argentina is the country where the study of malapportionment’s effects have gone the farthest, which is not surprising since it is the most malapportioned country. Calvo et. al (2001) find that malapportionment leads to a “partisan bias” in Argentina that favors Peronism since Peronists tend to perform much better electorally in the periphery than in the urban center, making it inherently difficult for a non-Peronist president to win legislative support.

Moving beyond the effects of malapportionment on partisan composition, Gibson and Calvo (2000) analyze the role of legislative malapportionment in the passage of structural reforms in the 1990s. They find that Menem was able to maintain

a strong legislative coalition while significantly cutting jobs in the public sector by concentrating them in the underrepresented urban provinces and leaving the overrepresented periphery relatively untouched as well as providing a disproportionate amount of discretionary funds to peripheral provinces to win the support of their congressional delegations. They dub these lightly populated districts “low-maintenance constituencies” since they provide a large amount of votes for relatively little federal resources. This finding helps us reconceive our notions of neoliberalism in the 1990s: Menem seems to have limited neoliberalism to metropolitan provinces while leaving peripheral provinces relatively unreformed. Instead of pursuing the difficult course of convincing a legislature to approve unpopular reforms, he faced the much more manageable task of convincing some legislators to cause pain for other legislators’ constituents and not their own. To date this is the only article that directly examines the effects of malapportionment on neoliberal reform in Argentina.

The literature on malapportionment in Brazil is far less extensive than the literature on Argentina. Fleischer (1994) gives a detailed account of the deliberate use of malapportionment by populist and military regimes in the mid-twentieth century to underrepresent the regions where opposition to them was greatest. Other scholars mention malapportionment as a normative problem or as a source of conservative bias but do not go farther (Selcher 1998; Hunter 2003; Mainwaring and Samuels 2004). More relevant for my study, Ames finds that one in five votes in the 1987 constitutional convention, including whether the president would have a four or five year term, would have gone differently if delegates had voted the same way but their votes had been weighed based on the population of their states (Ames 2002b, 55). However, he admits

that the omission of the senate in his analysis likely underplays the role of malapportionment because of how much more malapportioned it is than the chamber.

These studies aside, there still remain important gaps in the study of legislative malapportionment in Argentina and Brazil as well as in the rest of South America (only Paraguay, Peru, and Uruguay are not significantly malapportioned). First, although Samuels and Snyder have identified overrepresented regions as generally poorer and with more authoritarian political cultures, no study has probed *how much* poorer and less developed they are—a line of inquiry I pursue in the next chapter. Second, scholars still have not applied Calvo and Gibson (2000)’s concept of “low-maintenance constituencies” beyond public sector jobs and discretionary spending in Argentina. Did Argentine presidents similarly distribute other public goods more heavily in lightly populated districts? Did they do so in Brazil? This latter question I seek to resolve. Finally, nobody has studied in depth what happens when a legislature in Latin America is not malapportioned like Uruguay. Does this lead to substantially different outcomes than in the more normal, malapportioned legislatures? My study will address these gaps in this growing body of literature.

Conclusion

As comparative politics scholars better understand legislative malapportionment, it is crucial that we integrate it into past findings and assumptions. Some of the literature listed above, especially Gibson and Calvo (2000) have significantly altered how we perceive the policy outcomes of these congresses. There exist portions of the literature on democracy in Latin America that could benefit from study of the role of legislative malapportionment where little has already done.

My study seeks to use legislative malapportionment as an explanation for why the Uruguayan Congress was workable in the 1980s and 1990s while the Argentine and Brazilian Congresses were venal-parochial. No study has satisfactorily explained why the Uruguayan Congress was so much more active in policy formulation than its counterparts, much less explained it through legislative malapportionment. Moreover, since legislative malapportionment is a significant feature of Latin American congresses, it is crucial that we understand the workings of one of the few congresses without it. Which of the common characterizations of Latin American congresses (venal, parochial, uninterested in policy, etc.) stem from “Iberian” influences as Teichman (2001) describes them or from this one feature?

Chapter 3: Measuring the Divide—How Do the Nations the Argentine and Brazilian Congresses Represent Differ from the Nations they Serve?

A crucial aspect of Argentine and Brazilian political geography is the division between the metropolitan area and the periphery. These are vast countries with mega city, jungle, desert, tundra, and plains, but population, wealth, and urbanization are not spread equally. The metropolitan areas of both countries contain the majority of all three, leaving a relatively small amount for the periphery. The overrepresentation of less populated states/provinces in both countries is also the overrepresentation of the periphery because those states tend to be less populated. If the periphery and metro diverge significantly in the socioeconomic factors that influence democratic governance, then malapportionment will also have a significant effect on democratic governance.

The socioeconomic differences between the metro and the periphery figure prominently in the literature on malapportionment of Argentina and Brazil. O'Donnell famously divides Latin American countries into “blue” areas in the urban centers with a high degree of penetration by a liberal democratic state and “brown” areas in the periphery where the liberal democratic state fails to penetrate territorially or functionally. He mentions in passing that brown areas “in many cases...are heavily over-represented in the national legislatures” (1993, 11). Referring to Argentina, Gibson and Calvo call the constituencies and political networks “labor-based, economically strategic, and mobilizational in the metropolis [and] clientelistic, poor, and conservative in the periphery” (1997, 2). None of these studies actually measured

the socioeconomic differences between the metro and the periphery in either country, however, most likely because they are apparent to even the most casual observers of either country. Selcher goes the farthest in examining the U.N. Human Development Index scores, a composite measure of health, education, and wealth, of the five Brazilian administrative regions (1998).

This chapter will measure the differences between the metro and the periphery on measures that have important effects on democratic governance. Chapters 4 and 5 go into detail about why they matter. By looking at predictors of democratic success instead of evaluating the quality of democracy itself in each of the states/provinces, I may lose some measure of accuracy since I am not measuring the variable directly. However, I obtain precision since the predictors are very exact (census numbers of highest educational level of attainment for example) and a focus on predictors provides a causal explanation for these differences. I focus on predictors of civil society size because Chapter 4 focuses on civil society.

The three predictors I look at are education, economic inequality, and the U.N. Human Development Index. Education is “the best individual-level predictor of political participation” (Putnam 1995, 68) and is the area “where governments probably have the greatest direct ability to generate social capital” (Fukuyama 1999). Inequality influences civil society in two ways. First, inequality in developing nations like those discussed here often means high levels of poverty, which makes civil society participation more difficult (Pereira 1993). Second, extreme inequality divides society to such an extent that the necessary solidarity for civil society to grow does not exist (Oxhorn and Ducatenzeiler 1999). Finally, I use the U.N. Human Development Index, which is a composite of per capita GDP, education levels, literacy, and health. In their

study of European civil society, Bartkowski and Jasńska-Kania find a positive correlation between HDI and group membership (2004) and Anheier uses it as a part of his cross-national measure of civil society development (1998). I will use HDI more extensively than the other two measures since it already takes education into account and is more standardized between my cases (complete educational data on the department level in Uruguay does not exist, Gini coefficients are not available for Argentina and Uruguayan subnational units, and the “unfulfilled basic needs” measure used in censuses do not have the same criteria in all three countries). Importantly, education and equality affect democratic governance independently of civil society for reasons explained in the next chapter and thus are important to measure for their own sake.

This chapter has two objectives. First it will measure the difference between metropolitan and peripheral provinces on HDI, education, and inequality. In the next chapter, I explain the significance of these differences, but for now it is important to examine whether they exist. Second, it will measure how much the Argentine and Brazilian legislatures overrepresent less developed areas as well as compare their development levels with Uruguay.

Economic and Human Development Differences in Argentina

In deciding which provinces fall into the metro and the periphery, I use the definition used by Gibson and Calvo (2000) and Samuels and Snyder (2004). They place the Federal Capital and the provinces of Buenos Aires, Córdoba, Mendoza, and Santa Fé into the metro. These are the five most populous provinces and they have the highest overall GDPs. They held 24 million of Argentina’s 36 million residents, or 67

percent in the 2001 Census. The periphery consists of all the other provinces with 12 million residents, or 33 percent. This distinction is useful because the regions are geographically contiguous and all federal legislative representation springs from the province/state in both countries. Thus an area of a metro province that resembles the periphery in its population density and its socioeconomic characteristics will receive the same federal representation per capita as the rest of the province.

What follows is a statistical analysis of the differences between the metro and the periphery on three measures of human development: U.N. Human Development Index, education, and poverty. The data are from the Argentine National Institute of Statistics and Census of Argentina (*Instituto Nacional de Estadística e Censos* or INDEC). I use data from 1991, just two years after Menem's election and the beginning of Argentine neoliberalism, except for the education data since the earliest available were from 2001. Luckily, the educational levels of a relatively demographically stable nation like Argentina do not shift as much as income because the over-30 population is less likely to receive further education. Using the provincial level data of these three measures, I calculate the mean score of the metro provinces and then the mean score of the peripheral provinces. Although a weighted average would more accurately reflect the differences between the metro and the periphery, I am less interested in them than the differences between the metro and peripheral *provinces* because federal representation in both senates and to a lesser extent in the lower houses is based on territorial representation.

U.N. Human Development Index

The United Nations' ranking of Argentine Provinces by Human Development Index (HDI) provides a general look at the socioeconomic differences between the metro and periphery. One third is based on per capita GDP, one third based on education levels (divided between measures of educational attainment and literacy rates), and one third based on health. This index is a widely accepted indicator of international development and can allow us to examine divergences between the metro and the periphery in an international context. Higher scores indicate higher levels of human development.

Table 3.1 is a ranking of Argentine provinces by HDI using data from 1991. In general, provinces in the metro score higher than provinces in the periphery. The provincial averages make this quite clear: the metro provinces scored an average of 84 while peripheral provinces scored an average of 75. Compared internationally, that places the metro in 1991 with countries like Singapore, Portugal, and Yugoslavia. The periphery's score on the other hand places it with countries like Panama, Cuba, and the United Arab Emirates.

Although the provincial averages demonstrate a clear developmental divide between the metro and the periphery, this ranking of provinces by HDI reveals five peripheral provinces with higher HDI rankings than the lowest metropolitan provinces. They also performed strongly in subsequent rankings in 1995 and 2000. The average of this "highly developed periphery" is the same as the average of the metro provinces. By removing these five provinces from the peripheral average, the rest of the periphery's average sinks even lower, creating an 11-point difference between the "less developed periphery" and the metro/highly-developed periphery. The less developed periphery falls between Jamaica and Saudi Arabia in its development levels.

Table 3.1: Argentine Provinces Ranked by 1991 HDI

Province/Group of Provinces	1991 HDI
Federal Capital	89.6
Córdoba	84.4
Neuquen	83.8
Tierra del Fuego	83.8
<i>Metro Average</i>	<i>83.66</i>
Santa Cruz	83.5
<i>Highly Developed Periphery Average</i>	<i>83.5</i>
Chubut	83.2
La Pampa	83.2
Province of Buenos Aires	82.8
Santa Fe	82
Mendoza	79.5
La Rioja	77.1
Río Negro	76.7
Tucumán	76.1
Catamarca	75.7
San Luís	75.6
<i>Periphery Average</i>	<i>75.02</i>
Entre Rios	73.8
<i>Less Developed Periphery Average</i>	<i>71.99</i>
Salta	71.3
Misiones	70.3
San Juan	70.3
Santiago del Estero	69.1
Formosa	68.3
Chaco	68
Corrientes	68
Jujuy	67.6
Source: U.N. Human Development Programme, Argentina Human Development Report, 1991	

Table 3.2: Mean Educational Levels of Population Over 15 Years Old by Percentage

	None	At Least Primary Education	At Least Secondary Education	University Educated
Metro Provinces	3.0	84.5	58.2	10.7
Periph. Provinces	4.8	77.6	51.4	7.5
Highly Dev. Periph. Provinces	3.7	84.1	58.5	8.6
Less Dev. Periph. Provinces	5.2	75.3	48.4	6.9
Source: INDEC, 2001				

Table 3.3: Mean Percentage of Population Living with Unfulfilled Basic Needs

Metro Provinces	15.1
Periph. Provinces	27.2
Highly Dev. Periph. Provinces	18.8
Less Dev. Periph. Provinces	29.3
Source: INDEC, 2001	

Prior characterizations of the Argentine periphery as less developed than the metro are thus generally correct, but there are five exceptions to this rule. Although these provinces are lightly populated, malapportionment can transform five small exceptions five significant caveats: they may hold only 3% of the population, but they also control 10% of seats in the Chamber of Deputies and 21% of seats in the Senate. I will continue with this “highly developed” and “less developed” distinction with the next two measures, the highly developed periphery consisting of Chubut, La Pampa, Neuquen, Santa Cruz, and Tierra del Fuego and the less developed periphery consisting of the rest.

Educational Disparities

Education heavily influences civil society participation, political participation and the ability to understand the abstract realm of politics as I will describe in Chapter 4. Argentine census data indicates a substantial divide between the different regions of the country in education. Table 3.2 displays the mean educational attainment levels of the provinces in each region.⁴ The metro provinces outperform the peripheral provinces by about seven percent in primary and secondary education. On the educational extremes—no formal education and post-secondary education—the metro provinces still outperform the peripheral provinces though to a lesser extent than on the two intermediate levels. Dividing the peripheral provinces into two development level groups reveals an even more extreme educational divide: the metro provinces and highly developed provinces are essentially tied on the two intermediate levels, and about ten percent ahead of the less developed periphery. A clear division in educational

attainment in Argentina emerges, though not between the metropolitan and the peripheral provinces as much as between metropolitan and a handful of peripheral provinces on one end, and the majority of peripheral provinces on the other.

Unfulfilled Basic Needs

Inequality has two potential effects on civil society: in a developing nation, it increases the number of people living in such poverty that they cannot easily participate in civil society and it decreases the national solidarity that civil society requires. We cannot easily compare which group of provinces has more economic inequality than others since the Gini coefficient, the most commonly used measure of economic inequality, is not available on the subnational level in Argentina. The closest we can come is measuring what the Argentine census calls “unfulfilled basic needs” (*las necesidades básicas insatisfechas*).⁵ UBNs use some educational measures (school attendance and whether the head of household finished third grade), but they are distinct from the education completion measure I used above and include other variables that have nothing to do with education. This measure better interacts with the argument that inequality increases the number of people living in poverty than that of national solidarity since it is itself a measure of poverty.

Again, the data show an important distinction between the metro and the periphery: while metro provinces have on average 15 percent of their population with UBNs, peripheral provinces have 27 percent with UBNs. Dividing the periphery also

⁵ The definition consists of five variables: Homes that had more than three people per room, “inconvenient” homes such as shacks in slums, homes without any sort of toilet, school attendance (whether children between 6 and 12 years old attend school), and sustenance ability (whether homes had more than four employed people and whether the head of household had completed third grade).

reveals a nine percent difference between the highly developed periphery and the less developed periphery in UBNs.

Although some scholars have pointed out the differences between the Argentine metro and periphery, I am not aware of any study that actually measured these differences or connected them to literature on civil society. The data in this section demonstrate that any discussion of poverty and education in Argentina must take regional discrepancies into account. There is a strong divide between the urban metro and the periphery in education levels, unsatisfied basic needs, and human development. All of these have strong effects on civil society and thus civil society should generally be larger and involve more citizens in the metro than in the periphery. On the other hand, the census data demonstrate that there exist five well developed provinces in the commonly defined periphery. They may mitigate how legislative malapportionment shifts the development levels of the nation the legislature represents. To test whether that is true, I will measure the size of the less developed bias later in this chapter as well as examine whether the politics of these provinces is more similar to the rest of the periphery or to the metro in Chapter 5.

Economic and Human Development Index Differences in Brazil

In this section, I conduct an analysis similar to that of the last section. Although a clear distinction between the metro and the periphery should appear, it should be less strong than in Argentina due to the massive urban poverty in Brazil. Early in the 20th century the difference between the two areas may have been stronger, but the

immigration of the poor from the North and Northeast of the country throughout the 20th century lessened this disparity.

The states that make up the Brazilian metro and the periphery are well-established as shown by Selcher (1998) and Samuels and Snyder (2004). Brazil places its states into administrative regions—South, Southeast, North, Northeast, and Center-West—with the first two making up the commonly defined metro and the latter three making up the periphery. The use of regions as opposed to individual states may not be as effective as individual states (like I did in Argentina) since there are some overrepresented states in the legislature that lie in the metro (Santa Catarina and Espírito Santo). According to the 2000 census, the metro contained 97 million Brazilians, or 57 percent, and the periphery contained 72 million or 43 percent. I use Brazilian census data on administrative regions and states provided by the Brazilian Institute of Geography and Statistics (*O Instituto Brasileiro de Geografia e Estatística* or IBGE).

U.N. Human Development Index

Table 3.4 displays a ranking by state of HDI scores in Brazil (the states are color coded by region to give the reader a visual sense of regional divisions). As with Argentina, the Brazilian metro and periphery are wide apart in their HDI scores with a ten-point gap between them. Whereas the metro displays development levels similar to those of Panama, Jamaica, and Cuba, the peripheries scores place it near China, Sri Lanka, and Paraguay. The developmental distinction between the metro and periphery in Brazil has obvious validity. On the other hand, there exist important complications to it. First, the Center-West provinces tie with the South and Southeast provinces despite

being part of the commonly defined periphery. During the 1960s the capital of Brazil was moved from Rio de Janeiro to Brasília in the Center-West to promote development in the Brazilian interior. Today, Brasília scores the highest in HDI and may have succeeded in spurring development in the Center-West. Perhaps scholars should question the categorization of the Center-West as a peripheral region. Second, two provinces in the North (Roraima and Amapá) perform better than the lowest scoring metro province, Espírito Santo. I combine these two provinces with the Center-West to create a Brazilian “highly developed periphery,” the rest of the periphery falling into a “less developed periphery. As in Argentina, these exceptions to the rule of less development in the periphery are significant when combined with the effects of malapportionment: they hold 11% of seats in the Chamber of Deputies and 26% of Senate seats.

Table 3.4: Brazilian States Ranked by 1991 HDI

State or Groups of States ⁶	1991 HDI
Distrito Federal	79.9
São Paulo	77.8
Rio Grande do Sul	75.3
Rio de Janeiro	75.3
Santa Catarina	74.8
<i>Metro</i>	73.3
South East	73
Center West	72.5
Mato Grosso do Sul	71.6
<i>Developed Periphery</i>	71.4
Paraná	71.1
Goiás	70
Minas Gerais	69.7
Roraima	69.2
Amapá	69.1
Espírito Santo	69
Mato Grosso	68.5
Rondônia	66
North	65.6
Pará	65
<i>Periphery</i>	63.6
Acre	62.4
Pernambuco	62
Tocantins	61.1
Rio Grande do Norte	60.4
<i>Less Developed Periphery</i>	60.2
Sergipe	59.7
Ceará	59.3
Bahia	59
Northeast	58
Piauí	56.6
Paraíba	56.1
Alagoas	54.8
Maranhão	54.3
Source: U.N. Development Programme, Report on Human Development in Brazil, 1991	

Table 3.5: Mean Educational Levels of Population Over 15 Years Old by Percentage

Region	No Education	At Least Primary Education	At Least Secondary Education	At Least Bachelor's Degree
Metro Provinces	9.8	38.7	24.5	7.4
Periph. Provinces	21.6	30.7	19.5	4.5
Highly Developed Periph. Provinces	14.2	38.9	24.8	6.7
Less Developed Periph. Provinces	22.8	29.0	18.3	3.9
Source: IBGE, 2000				

Table 3.6: Mean Gini Coefficients by Region

Region	Gini Coefficient (2000)
Metro States	51.8
Periph. States	54.1
Highly Developed Periph. States	54.5
Less Developed Periph. States	54.0
Source: IBGE, 2000	

⁶ States are color coded by region to give a visual impression of how well regions conform to the metro-periphery distinction. Blue is South, red is Southeast, yellow is Center-West, green is North, pink is Nouttheast

Educational Disparities

Table 3.5 illustrates the differences in education level among the regions. The most significant educational disparity between the metropolitan and peripheral provinces is that 12% less citizens on average received *any* formal education in the peripheral provinces than in the metropolitan provinces. The difference is not as strong, but quite notable in primary education with 8%, and weaker on secondary education with 5%. The highly developed and less developed distinction carries over into education: the highly developed peripheral provinces have a medium position (14%) between the metro provinces (10%) and the less developed peripheral provinces (23%) on the percentage of the population with no education. On the other measures, their educational levels are similar to the metro provinces.

Varying Economic Inequality

Unlike in Argentina, a significant portion of Brazil's poverty is urban as the *favelas* outside of São Paulo and Rio de Janeiro demonstrate. The IBGE calculates Gini coefficients, the measure of economic inequality, by state and region. The Gini coefficient measures the distribution of wealth in a country, assigning a value of one for a country in which all wealth is held by one person and a value of zero for a country when all wealth is distributed evenly. As opposed to the Unfulfilled Basic Need measure used in Argentina, the Gini coefficient better illustrates a lack of national solidarity than the portion living in poverty. Table 3.6 displays the Gini coefficients of the regions and the metro/periphery—although high economic inequality in a nation with as low of a per capita GDP as Brazil (\$10,763 in 2006) means a high percentage live in poverty. There is a noticeable if not overwhelming three-point difference between the metro and the periphery. Applying the highly developed and less

developed distinction does not make a difference: the highly developed periphery even scores half a point higher, indicating more inequality. Although other measures show a clear difference between these developmental regions, inequality is not simply a regional problem, but a national one as well. Inequality should thus limit civil society development in both regions, although in the periphery more than the metro.

Brazil exhibits important regional divisions between a well-developed metro and a less developed periphery. On education and human development, the difference is even more substantial than that in Argentina since the low scores are much lower in Brazil. On economic equality, both regions exhibit substantial problems—but the periphery clearly more. Scholars have already examined how much the periphery in both nations is overrepresented. This and the previous section demonstrate that the metro and the periphery in both countries are virtually different countries in terms of predictors of civil society development.

Separating Representation and Governance

A perfectly apportioned legislature represents the entire nation as well as governs it. Malapportionment divides these two tasks. The legislature represents a distorted version of the nation while governing the nation itself. In the cases of Argentina and Brazil, the legislatures represent a less developed, less educated, and less equal nation than the nation they govern. If development, education, and equality affect democratic governance—including congress challenging the executive on national policy—then the legislature will underperform in relation to how developed the nation may be. Scholars have already noted the bias in favor of less-developed areas in Latin

America (O'Donnell 1993; Samuels and Snyder 2004), but have not measured how much the population congress represents is less developed than the population at large. This is especially necessary since this chapter proved the existence of a significant number of peripheral provinces that match the metropolitan provinces on these measures.

In this section, I measure the difference between the nation the legislatures represent and the nation they serve. I calculate the HDI of the legislatures by ranking provinces/states by HDI and calculate the HDI of the constituency of the median, 25th percentile, and 75th percentile deputy or senator. As a point of comparison, I do the same calculation of a perfectly apportioned congress. All data are from 1991, an important time since it was around then that the different economic reform packages began to take effect. The population data I used to calculate the single multi-member district are from the Argentine and Brazilian censuses. The Argentine and Brazilian HDI data are from their respective 1991 U.N. Development Program Reports.

Tables 3.7 and 3.8 display the results. In neither case does lower house malapportionment significantly change the median legislator's HDI. Upper-house malapportionment, however, causes a 6.4 point drop in Argentina and 3.6 point drop in Brazil. The district of the Argentine median legislator in a perfectly apportioned chamber would have placed 43rd in international HDI rankings while the median senator would have placed 54th. The district of the Brazilian median legislator in a perfectly apportioned chamber would have placed 66th and the median senator placed 74th. These are important if not overwhelming differences.

Table 3.7: Argentina HDI Analysis	Hypothetical Perfect Apportionment	Chamber of Deputies	Senate
Median	83	83	76
1st Quartile	68-77	68-76	68-70
2nd Quartile	77-83	76-83	70-76
3rd Quartile	83	83	76-83
4th Quartile	82-90	83-90	83-90
Number of Senators (Percent) below 75	9 (19.7%)		18 (37.5%)
Number of Deputies (Percent) below 75	51 (19.7%)	61 (23.7%)	
Number of Senators (Percent) above 8	33 (68.6%)		18 (37.5)
Number of Deputies (Percent) above 8	176 (68.6%)	157 (61.1%)	

Table 3.8: Brazilian HDI Analysis	Hypothetical Perfect Apportionment	Chamber of Deputies	Senate
Median	70	69	66
1st Quartile	54-62	54-61	54-60
2nd Quartile	62-70	61-69	60-66
3rd Quartile	70-75	69-75	66 -70
4th Quartile	75-80	75-80	70.6-79.9
Number of Senators (Percent) below 65	24 (33%)		33 (41%)
Number of Deputies (Percent) below 65	170 (33%)	167 (33%)	
Number of Senators (Percent) above 75	30 (38%)		4 (5%)
Number of Deputies (Percent) above 75	192(38%)	155 (30%)	

As I argued in Chapter 2, however, legislatures are not unitary actors and scholars must also analyze how large particular factions may be. As instructive as the median legislator is, an examination of how many seats certain factions grouped by HDI gain or lose from malapportionment can further show its effects. This analysis shows that the Argentine Congress assigns areas with an HDI under 75 18 percent more senate seats and 4 percent more chamber seats than they would receive in a perfectly apportioned congress. Even more dramatically, it assigns areas with an HDI above 80 31 percent less senate seats and 8% less chamber seats. In Brazil, the overrepresentation of the least developed provinces is not as strong: provinces under 65 gain 8 percent more seats in the senate and actually lose .6 percent of seats in the Chamber. However, the underrepresentation of the most developed provinces is equally as large as in Argentina: provinces over 75 lose 32.6 percent of these seats they would have in a perfectly proportioned senate and 7.3 percent of the seats they would have in a perfectly proportioned chamber.

Uruguay: The Argentine and Brazilian Metro Areas Unattached?

Uruguay exhibits remarkable demographic, cultural, and economic similarities to the Argentine and Brazilian metros. First, they all lie within close geographic proximity to one another: the Argentine metro lies along the Northeast coast, the Brazilian metro along the Southeast coast, and Uruguay lies between the two. Second, all experienced large amounts of Southern European immigration during the 19th and 20th centuries. This area became the center of European settlement in the region as opposed to the predominately indigenous Amazon, heavily African Brazilian Northeast,

or lightly populated mestizo hinterlands of Argentina. The Brazilian metro became more diverse during the middle twentieth century as many Afro-Brazilians left the North and Northeast for the *favelas* of the metro. Nevertheless, the metro is where Southern European influence in Brazil is most pronounced. Third, these areas have been historically more closely integrated into the world market because of their proximity to the Atlantic Ocean and temperate climates attractive to Europeans. Instead of depending mostly on the extraction of natural resources for material wealth, they were involved with their export and later became the centers of industrial production. Fourth, the metro is where most of the middle class of Argentina and Brazil lie while Uruguay is mostly a middle class nation.

Uruguay lies entirely within this metro region and is in many ways equivalent of the Brazilian and especially the Argentine metro without the periphery attached. Figure 3.1 is a map of the Uruguayan HDI by department and demonstrates that although Montevideo clearly has the highest HDI, no department has anywhere near the low HDIs that exists in the Argentine and Brazilian peripheries.

Índice de desarrollo humano departamental

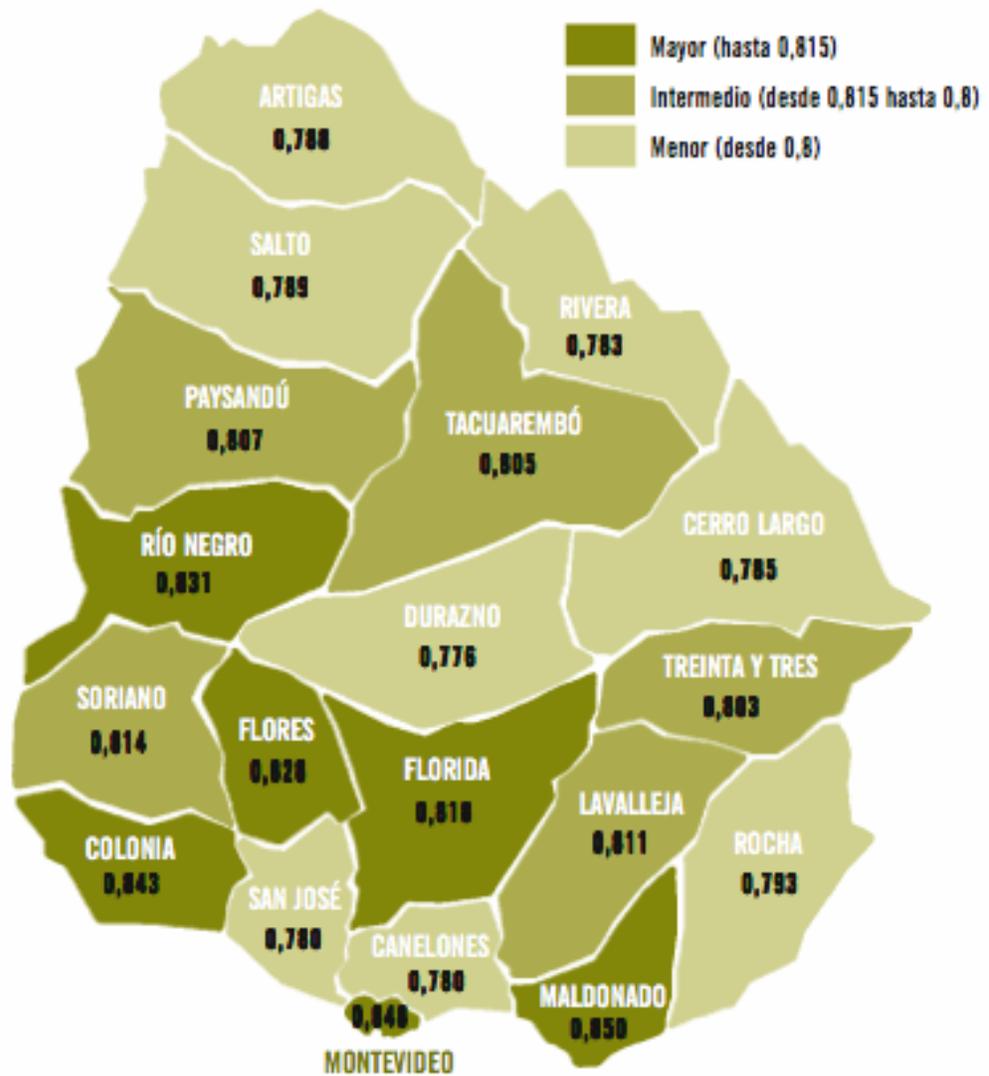


Figure 3.1 Map of Uruguayan Departments by Human development Index

Source: “Desarrollo humano en Uruguay,” U.N. Economic Commission for Latin America and the Caribbean and U.N. Development Programme, 2001.

Tables 3.9 and 3.10 display the Uruguayan Congress's HDI scores alongside the scores of the Argentine and Brazilian congresses. Like the Argentine and Brazilian data, the Uruguayan data are from 1991. I placed the figures for the Uruguayan senate and chamber together (which is called the "General Assembly" in Uruguay) since results are the same as perfect apportionment: the senate is elected through a national multimember district and although the minimum of two deputies per department could potentially cause the Chamber of Representatives to differ from the national multimember district, the malapportionment is so light that it had no effects on where the 25th percentile, median, and 75th percentile legislators fell.

The most significant comparison is that between Argentina and Uruguay since Uruguay's congress's HDI scores are similar to a non-malapportioned Argentine congress. Their median legislators are within .03 of one another and the middle 50% range is similar: 76.9-82.1 for Uruguay and 76.7-82.8 for Argentina. Since Argentina possesses stronger regional HDI disparities than Uruguay, the lower quartile of a non-malapportioned congress is quite a bit lower. On the other hand, only 20% of the Argentine population resided in provinces below the lowest scoring Uruguayan *department*. Moreover, more than 25% of the Argentine population lived in provinces with a higher HDI than the highest scoring Uruguayan department. Thus a large majority of a non-malapportioned Argentine Congress in 1991 should have acted similarly to the Uruguayan Congress since it would have been subject to strong civil society pressure. Malapportionment more than regional inequalities affected the differences between the Argentine Congress's HDI scores and those of the Uruguayan Congress.

Table 3.9: Argentina and Uruguay Compared	Uruguayan General Assembly	Hypothetical Argentine Perfect Apportionment	Actual Argentine Chamber of Deputies	Actual Argentine Senate
Median	80	83	83	76
1st Quartile	74-77	68-77	68-76	68-70
2nd Quartile	77-80	77-83	76-83	70-76
3rd Quartile	80-82	83	83	76-83
4th Quartile	82	83-90	83-90	83-90
Number of Senators (Percent) above 80	18 (61)	33 (69)		18 (38)
Number of Deputies (Percent) above 80	60 (61)	176 (69)	157 (61)	

Table 3.10 Brazil and Uruguay Compared	Uruguayan General Assembly	Hypothetical Brazilian Perfect Apportionment	Actual Brazilian Chamber of Deputies	Actual Brazilian Senate
Median	80	70	70	66
1st Quartile	74-77	54-62	54-61	54-60
2nd Quartile	77-80	62-70	61-70	60-66
3rd Quartile	80-82	70-75	70-75	66-71
4th Quartile	82	75-80	75-80	71-80

All regions of Brazil, on the other hand, perform significantly worse on the HDI than Uruguay. Even a correctly apportioned congress does not raise the national HDI to levels close to those of Uruguay and all states except Brasília fall below the Uruguayan median legislator's district. Although a perfectly apportioned Brazilian Congress would certainly give areas with higher levels of civil society more representation and thus improve the democratic functioning of the congress, it still would not rival the Uruguayan Congress in playing a strong role in policy implementation. Thus malapportionment moved the Brazilian Congress *away* from acting like the Uruguayan Congress but was not the principal roadblock as in Argentina.

Conclusion

This chapter had two objectives: first, to measure the distance between the metro and the periphery on development, education and equality, and second to measure the distance between the nations the legislatures serve and represent on development. It found that scholars have been correct in supposing a sizeable difference between the metro and the periphery on demographic predictors of the viability of democracy, although the gap between the Brazilian metro and peripheral provinces on economic inequality is not very large. Importantly, it also found significant exceptions in the periphery to the underperformance on these predictors. Dubbing these exceptions the highly developed periphery, their effect on congressional strength will be measured in the Chapter 5. Uruguay, however, does not have as powerful of regional inequalities as the other two countries.

I argue that malapportionment creates an important distinction between the nation a legislature represents and the one it governs. I find that the nations the

legislatures represent are less developed than the nations they govern—despite the existence of highly developed peripheries. I compare the legislatures side by side with Uruguay, a nation that lacks a strong metro/periphery distinction in development levels as well as legislative malapportionment. A perfectly apportioned Argentine legislature would represent a similar nation to that of the Uruguayan Congress but malapportionment places the actual Argentine Congress's development levels much lower than those of Uruguay. A perfectly apportioned Brazilian legislature and the Uruguayan Congress would not be at comparable development levels, but are closer than the actual Brazilian Congress and the Uruguayan Congress are. This chapter provides an empirical basis for the observation that malapportionment overrepresents the less developed sections of countries while also proving that some important exceptions exist. Chapter 4 will examine the implications of the former and Chapter 5 will examine those of the latter.

Chapter 4: The Hall of Mirrors and the Overrepresentation of Poverty

Democratically elected executives can implement economic reforms in an exclusive or inclusive manner. An exclusive manner means that the executive branch formulates and implements economic reforms with little input from other actors (the legislature and civil society being the other two main actors). An inclusive manner, on the other hand, entails the legislature and civil society exercising a strong influence in the formulation and implementation of economic reforms, forcing the executive to moderate them if they lack public support. Ducatzenzeiler and Oxhorn (1999) argue that the strength of civil society determines how inclusive or exclusive economic reforms are. In a nation with a representative legislature, we can assume that a strong civil society will force executives to include its concerns. However, if a nation possesses strong geographic differences in civil society development and the legislature overrepresents certain portions of the country, the civil society and inclusion connection must be modified. The legislature, as “the people’s branch” in a three-branch government, is crucial to the ability of civil society to make economic reforms inclusive or exclusive. If areas with a strong civil society are overrepresented, then the inclusivity of economic reforms could be higher than the nation’s levels of civil society would predict. If, on the other hand, areas with weak civil society are overrepresented, then the inclusivity could be lower than the nation’s levels of civil society would predict.

In this section, I argue that the latter causal process occurred in Argentina and Brazil during the 1990s due to regional variation of civil society strength and overrepresentation of areas with weak civil society as demonstrated in the last chapter.

On the other hand, Uruguay's combination of a relatively strong civil society across the country and no overrepresentation of the areas that perform the worst meant an inclusive process of economic reform, as Ducatzenzeiler and Oxhorn's theory would predict.

At first glance, some might argue that the overrepresentation of subnational units with a poorer and less educated public might be an effective way of ending those discrepancies since they could ensure that they receive more social spending and veto on programs that might further impoverish them. Malapportionment could then serve as an internal development aid mechanism that redistributes the nation's wealth in favor of those in need. Unfortunately, in Argentina and Brazil these overrepresented subnational units have intensely hierarchical political systems (Samuels and Snyder 2001b). Elites maintain dominance over the poor through clientelistic relations that leave them dependent on the elite. Paradoxically, it is the richest, most developed areas where left wing parties like the Argentine FrePaSo and the Brazilian PT perform(ed) best.

My argument in this chapter has two components. First, I compare the strength of civil society in Uruguay with that of Argentina and Brazil as well as their malapportioned legislatures. Second, I illustrate how civil society and malapportionment can push congress into either a venal-parochial direction or a programmatic one.

The Inclusiveness of Uruguayan Politics

The areas represented in the Uruguayan Congress perform better on a host of predictors of civil society and widespread political participation (education, equality,

and human development) than do the areas represented in the Argentine Congress (though not in Argentina as a whole) and Brazil in general (though the areas the Brazilian congress represents perform even worse than the whole nation). If civil society is strong, “economic liberalism is likely to be inclusionary and to lay the foundations for viable democratic regimes” and if it weak, then economic liberalism is likely to be exclusionary and democracy will remain fragile (Oxhorn and Ducatezeiler 1999, 37-38). The legislature, should be the branch of inclusiveness—both internally by representing the entire nation and externally by serving as a coequal of the executive. In these next two sections, I apply Oxhorn and Ducatenzeiler’s theory of civil society and inclusiveness to the Uruguayan, Argentine, and Brazilian congresses. In this section, I explain how inclusiveness and strong civil society involvement lie at the heart of Uruguayan politics. In the next section, I apply it to the Argentine and Brazilian congresses since malapportionment distinguishes them from their nations and explain how malapportionment hinders the development of a politics similar to those of Uruguay

Uruguayan politics has a long tradition of inclusiveness and relies less on clientelism and *caudillismo*. The double simultaneous vote I described earlier was originally conceived of as a way of giving all political factions a voice in the legislature. José Batlle y Ordoñez, the most important twentieth century political figure, established a “collegial” executive like that of Switzerland that lasted from the early 1900s into the 1960s. This system gave each of Uruguay’s faction strong executive branch representation by dividing the presidency and giving each faction a piece (as opposed to the winner take all representation of most presidential regimes). It also prevented the *caudillismo* that reigned in Argentina and Brazil (Sondrol 1997, 111). A policy of

coparticipación, giving significant ministerial appointments to members of each faction, persisted even after the return of democracy in the 1980s as both Presidents Sanguinetti and Lacalle appointed ministers from the opposing to party (Blake, 9-11).

This tradition of politics by consensus ran so deep in the middle twentieth century that Sondrol argues that it became the military's central criticism of democracy and impetus for overthrowing the civil government: that democracy meant "compromise, immobilism, the substitution of political criteria for efficiency, and a myriad of special-interest legislation, for a rational integrated plan" (1997, 112-113). In other words, the military found Uruguayan democracy *too* conciliatory. O'Donnell cites this tradition of consensus, along with constitutional structures, as the cause for the Uruguayan's Congress's strong, effective opposition to reforms and Uruguayan presidents' willingness to compromise instead of ignoring it (1994). The inclusiveness of Uruguayan politics, which the nation's strong civil society permits, is thus a reason why its congress plays such a strong role in policy formulation.

The Exclusiveness of Argentine and Brazilian Politics

Argentine and Brazilian politics have a strongly exclusive character since members of the executive branch are capable of implementing their desired policy agendas with little substantive input from the legislative branch as has already been outlined. The relatively high scores on civil society predictors (for Latin America) are largely irrelevant to their congresses since areas of low civil society development are significantly overrepresented.

Could differences of inclusiveness stem from different political traditions as O'Donnell argues? A long tradition of consensus in Uruguayan congress was certainly

an important factor in the inclusive economic reform process. To some extent it stems from Uruguay's unique history including the resolution of its interfactional civil war and Jose Batllé y Ordoñez's example of strong leadership through consensus (Spektorowski, 2000). On the other hand, Uruguay lacks the strong socioeconomic inequalities of its neighbors that hinder civil society.

Moreover, Argentine and Brazilian authoritarian elites intentionally used legislative malapportionment to solidify their rule under a "competitive authoritarian" regime in which the legislature does not challenge the executive branch. The Brazilian military regime consciously changed the electoral law to create a maximum number of deputies per state, a law that only affected São Paulo—one of the states with the highest HDIs and the center of student and union protests. The regime also created new states in the peripheral North to further dilute the influence of the metro since that was the locus of opposition to the exclusionary politics of the regime (Fleischer 1994). Similarly, Argentine military regimes increased the minimum provincial representation in the Chamber of Deputies and created new states in the periphery since they believed that voters in the periphery were more "pragmatic" than those in the metro, where the center of opposition to the military regime and syndicalism lay. Although Argentina and Brazil lacked the unique history of inclusive politics of Uruguay, authoritarian elites consciously increased legislative malapportionment to push politics in a more exclusive direction. Without malapportionment, neither country's politics would probably have been as inclusive as Uruguay's, but legislative malapportionment clearly prevented the high civil society development in the metro from realizing its full potential in national politics.

Uruguay thus had an opportunity to forge a politics of inclusion while authoritarian elites used malapportionment to prevent that opportunity from arising in Argentina and Brazil. The literature on the elimination of malapportionment in the Uruguayan Senate is thin (Samuels and Snyder 2004), but it did coincide with the reform period under President Batllé y Ordoñez, which consciously sought to make politics more inclusive. This would suggest that the creation of a single, multimember district as opposed to the previous malapportioned senate was a part of this general movement toward inclusive politics—possibly meaning that Uruguayan elites eliminated malapportionment to shift politics in an inclusive direction while Argentine and Brazilian elites did the opposite.

How Civil Society, Civil Society Predictors, and Venality Interact

This section draws a picture of how low levels of civil society and low scores on civil society predictors—most notably poverty and low education levels—affect the inclusivity of politics. A venal-parochial legislature exchanges its role in policy formulation for defending narrow constituent interests and bringing pork into the electoral district. By not influencing policy, the legislature thus leaves the executive branch to do as it wishes as long as it provides enough pork barrel—thus leaving economic reform an exclusionary process. Low levels of civil society and civil society predictors facilitate this exchange in three interconnected ways: they increase the relative value of clientelism, decrease politicians' accountability for their policy actions, and increase the power of provincial party bosses/governors.

The Relative Value of Clientelism

Venality in Argentina and Brazil revolves around securing federal resources that can easily be distributed by clientelistic networks instead of the American connotation of pork barrel spending with transportation spending and farm subsidies. Public employment and health care funds are among the most common forms of clientelism since they can easily be channeled to local party bosses in exchange for obtaining votes from municipalities. Calvo and Murillo (2004; 2006) demonstrate that poverty increases the relative value of clientelism as an electoral strategy by demonstrating that the Peronist Party has a “built-in” advantage in clientelistic politics over the Radical Party since its supporters tend to have lower incomes and thus will accept lower income public jobs. Therefore, the Peronist Party receives more “bang for its buck” than the Radical Party does. A large portion of the difference between the incomes lies in the geographic difference between the two parties: while the Radical Party’s support is mostly limited to the metro, the Peronist party has a strong presence in the periphery. A similar process could very well have occurred in Brazil, where the most programmatic party, the PT, was concentrated in the developed metro and an electoral strategy centered around clientelism would have proven inefficient in comparison with parties in the poorer North and Northeast.

The lower levels of education in the periphery further increase the relative value of clientelism. Education provides the cognitive and intellectual skills that reduce the costs of participation (Downs 1957) and increases the probability that citizens will possess important political knowledge (Rosenberg 1988). Educated citizens can better assess their interests and policy preferences. As opposed to North America and

Western Europe where the main educational divide lies between those with secondary and university educations, the 73% of the population over 15 did not graduate from high school in the Argentine periphery and 73% of the population over 25 did not graduate from *primary* school in the Brazilian periphery. Where literacy and basic reading comprehension are not universal, a basic understanding politics is even less so. A basic understanding of neoliberal policies and how they affect peoples' daily lives was probably absent from society's large bottom end. The concrete and immediate benefits of clientelism (jobs, money, health care, housing) thus possessed a natural advantage over the abstract realm of programmatic politics—especially neoliberal policies such lowering tariffs, balancing budgets, and currency pegging. The switch from political inclusion to political exclusion in exchange for clientelism thus becomes easier when education levels are low—and the Argentine and Brazilian legislatures overrepresent areas where they are low.

Accountability

Poverty and low levels of education both fuel a lack of accountability for politicians who support painful, unpopular economic reforms. Poverty helps fuels the power of clientelism and patronage as described in the section above and, as Fox argues, clientelism shifts the balance of responsibilities away from politicians to citizens since politicians expect a certain behavior from citizens (support for their machine) in exchange for clientelistic favors. In impoverished regions the threat of losing important government benefits that play a central role in the economy should particularly increase political subordination. This creates what Fox calls a “reverse horizontal accountability” in which it is politicians—not the voters—who can punish (1994, 7).

Furthermore, civil society underdevelopment deprives the public of a space autonomous from the state to voice its opposition to economic reforms and hinders the development of a viable political opposition—which allows the dominant party to fuse itself with the state and monopolize clientelistic resources. Thus, politicians from impoverished districts who support an unpopular neoliberal agenda do not have to worry about their parties losing support since their constituencies cannot hold them accountable.

Low levels of education also contributed to low levels of accountability in a similar manner to the relative value of clientelism. Despite the right-wing voting records of many members of congress from the Brazilian periphery, for example, politicians almost universally used leftwing, populist rhetoric to win votes (Mainwaring 1992)—indicating that many poorer voters in the periphery prefer leftwing, populist policies. Politicians who campaign one way and vote another face a problem at the polls when voters understand the contradiction. Yet politicians with a less educated constituency do not face this problem: the lack of education hinders voters from tracking the behavior of their members of congress and punishing them for the “wrong” vote. If they are illiterate, they cannot read a newspaper to discover how their members of congress voted—assuming they even understand whether the vote falls in line with their leftwing preferences. Opposition to pegging the Argentine peso to the dollar because of its effects on the prices of agricultural exports depended on a basic level of education that did not exist among a significant portion of the periphery population. Accountability depends on the ability of voters to understand and track politicians’ behavior—abilities that low educational levels hinder.

Provincial Party Bosses

The combination of the strong potential of clientelism as an electoral strategy and low political accountability make these regions prime for the domination by provincial party bosses that Jones and Hwang (2006) and de Luca, Jones, and Tula (2002) describe. If a political party controls important provincial executive positions such as governor or mayor of a large municipality, then it has excellent access to clientelistic resources and thus can do very well in federal legislative races. The pragmatic nature of this system of politics—one in which personal enrichment matters more than actual policies—means that federal legislators extract as many resources from the federal government as they can for the provincial party machine. Since some of the most lucrative votes are also the most unpopular, the lack of accountability is a true asset to these legislators. The monopolization of political life by provincial party bosses faces a lesser threat of civil society sponsoring strong political opposition.

The support of politicians for wide-reaching economic reforms in poorly educated areas with a weak civil society should not surprise us. Legislators from these areas do not have to face the quandary of voting for an unpopular law in exchange for pork. They often will not be held accountable for their vote for an unpopular law while securing resources for clientelism. Thus, the political incentives are stacked in favor of venality instead of programmatism. Moreover, the lower educational levels in the periphery further decrease the accountability of politicians since less educated voters are less likely to formulate strong political opinions and observe their legislators' actions through activities like reading the newspaper and the Internet.

Low civil society development as well as poverty and education increase the relative value of clientelism as an electoral strategy, decrease the accountability of politicians, and support the political dominance of provincial party bosses. Since Argentina and Brazil's peripheries have less civil society and a less educated populace, malapportionment's overrepresentation of them thus shifts politics into an exclusionary direction as long as clientelistic networks remain intact.

Conclusion

Like the hall of mirrors in an amusement park fun house, malapportionment takes existing features of societies and distorts their size to create fundamentally different societies. If large geographic disparities on an important measure exist, then the overrepresentation and underrepresentation of geographic units can make the nation the congress represents very different from the nation it serves. Scholars have long described the distinction between the metro and the periphery in South America (O'Donnell 1994), but have not examined it in relation to civil society development, much less attempted to measure it (albeit with predictors) as I have.

These measurements indicate that the peripheries of both countries perform much worse on civil society predictors than do the cores. Although these regional disparities would have an important effect on politics in correctly apportioned legislatures, legislatures that overrepresent these areas as much as the Argentine and Brazilian Senates will tend to reflect the politics of a county that scores worse on civil society predictors. Since civil society plays an important role in making economic reform inclusive, the Argentine and Brazilian economic reform processes thus became more exclusive than they would have been if the legislatures had reflected their nations'

true civil society levels. Their overrepresentation makes Argentine and Brazilian politics more exclusive than one would predict looking at the nation's performance on civil society predictors. Moreover, two civil society predictors—poverty and education levels—have important effects on the inclusivity of economic reforms independent of civil society. A weak civil society, high levels of poverty, and low levels of education increased the relative value of clientelism, decreased accountability, and increased the power of provincial party bosses. Uruguay, on the other hand, lacks regional disparities in civil society predictors as strong as its two neighbors. Despite the relatively mild regional disparities that do exist, its legislature's correct apportionment prevents the low-scoring areas from dominating legislative politics. Thus malapportionment coupled with regional disparities in civil society development helps explain the higher number of parochial-venal legislators in Argentina and Brazil than in Uruguay.

Chapter 5: Low- and Lower-Maintenance Constituencies

In Chapter 3, I demonstrated that the populations of a majority of peripheral provinces are less educated and well off. Yet there exist important population and economic disparities *within* the peripheries that complicate the civil society predictor argument that served as the basis of the last chapter. The majority of the peripheral provinces fill the bottom positions in rankings of Argentine provinces by HDI throughout the 1990s, but five provinces in the periphery (Tierra del Fuego, Santa Cruz, Neuquen, La Pampa, and Chubut) consistently scored higher than the lowest scoring

metro province (Santa Fé or Mendoza depending on the year). Although they made up a relatively small portion of the peripheral and general Argentine population (10% and 3% respectively), they are among the most overrepresented and when combined with the five provinces in the metro account for 65% of seats in the Chamber of Deputies and 42% of seats in the Senate. Similarly in Brazil, six states have similar development levels to the Brazilian metropolitan states (albeit generally toward its bottom end). These states (the Federal District, Matto Grosso, Matto Grosso do Sul, Goiás, Roraima, and Amapá) hold only 6.8% of the population but elect 22% of senate seats and 11% of chamber seats. Could the existence of these states and provinces mitigate the challenges of low civil society development?

Argentina: The Highly Developed Periphery as the Federal Black Hole

A look at the political behavior of the Argentine provinces during the 1990s suggests that they only increased the number of venal-parochial legislators. Gibson and Calvo (2000) argue that Menem's political coalition for economic reforms depended on channeling federal resources to the overrepresented periphery, finding that federal discretionary transfers increased by 30% (mean) for metro provinces and 76% for peripheral provinces. Isolating the highly developed peripheral provinces from the rest of the periphery reveals that transfers for these provinces increased by 126%. The highly developed periphery exceeded the periphery as a whole in fulfilling the first condition of venal-parochial behavior—legislators demanding resources from the federal government to their constituencies. The second condition is exchanging political support for those resources. Gibson and Calvo use the change in the Peronist presidential vote between 1989 and 1995 as a measure of how well Menem maintained

political support for his economic reform agenda. Whereas the mean increase of the Peronist vote in the metro provinces was 3.3%, the increase in the periphery was 7.6%--making for what Gibon and Calvo call a “strong” connection between increased federal funds and political support for Menem. Again the highly developed peripheral provinces acted more venal-parochial than the rest of the periphery with a mean increase of 9.9% of the Peronist presidential vote.

What explains the failure of the civil society predictor argument to explain the behavior of these five provinces? These provinces’ congressional delegations share another important feature: extraordinarily low populations and extreme legislative overrepresentation. They make up five of the eight least populated provinces in Argentina and despite holding 3% of the Argentine population, they elected more than 20% of its senate seats. Whereas the mean Argentine province has a population of 1.3 million and the less developed peripheral provinces have a mean population of 631,000, these five provinces have a mean population of less than 250,000. These provinces’ status as among the least populated provinces in Argentina also places them among the most overrepresented in the congress. Overrepresentation can alter the costs of vote buying so dramatically that a province’s civil society development may not prevent its congressional delegation from acting venally if the executive branch offers enough federal resources per capita.

Gibson and Calvo demonstrate that President Menem could cut public employment drastically by concentrating these reforms in the highly populated but underrepresented Argentine provinces while leaving overrepresented provinces relatively untouched since cuts there would not have provided enough in fiscal savings (there were less absolute jobs) to justify the political capital required (2000). Similarly,

they demonstrate that these provinces received disproportionate amounts of discretionary transfers from the federal government in order to attain the support of their congressional delegations. They name these lightly populated electoral districts “low-maintenance constituencies,” which provides scholars a new and useful concept for understanding the relationship between malapportionment and vote buying.

Poverty increases the incentives for legislators to act venal-parochial because their constituents require fewer funds per capita to satisfy their needs and are also more dependent on politically controlled resources. The highly developed periphery would thus be an area where venal-parochial politics would not be effective were it not for its extremely low population. Whereas voters in the less developed periphery might not understand painful economic reforms and content themselves with clientelism’s relatively small benefits, voters in the highly developed periphery would demand compensation for their legislators’ support for those reforms. We can thus expect that the highly developed periphery would receive a much larger amount of federal resources per capita than the periphery—not to speak of an even greater disparity between it and the socioeconomically similar metro.

Following the Money: Discretionary Transfers and the Highly Developed

Periphery

If the congressional delegations of developed peripheral provinces acted venally because they were low-maintenance constituencies, we should expect that they received a disproportionate share of federal resources per capita. The share should be especially large since the populace of such provinces is well off and thus requires a larger amount of funds to compensate per person than in poorer provinces. Federal transfers to the

provinces play a particularly important role in Argentine federalism. First, Argentina has had a regime of “co-participation” since the 1930s by which the federal government collects the bulk of all taxes and then redistributes them to provinces through a constantly changing formula. Second, the federal government keeps provincial governments solvent when they go bankrupt through federal transfers. Third, the government often sends funds to provincial governments, sometimes for a particular purpose (education for example) and sometimes not. This latter type is known as discretionary transfers. All three types of federal transfers have political bases and often have more to do with winning the votes of a province’s congressional delegation for national policymaking than provincial concerns.

As Gibson and Calvo demonstrate, the periphery received a great deal more on average in discretionary transfers than the metro per capita: \$1,204 versus \$451 in 1995. Yet if we separate the five highly developed peripheral provinces from the fourteen less developed peripheral provinces, an even greater disparity emerges: the former received \$1,884 per capita while the latter only received \$931. If we remove Menem’s home province of La Rioja—which received the third most federal funds per capita most likely because of paybacks to political allies—the less developed periphery only received \$814 per capita. The two provinces that received the most per capita are among the five developed peripheral provinces (Tierra del Fuego and Santa Cruz). In fact, the amount of money that the less developed periphery receives per capita is closer to the metro than to the highly periphery. It appears that the highly developed periphery is actually the section of the country that receives a truly disproportionate share of federal resources and is responsible for pushing the mean amount of federal funds that peripheral provinces received to \$1,204 per capita.

The power of these highly developed, low-maintenance constituencies becomes even more clear when we look at the changes in the distribution of gross discretionary funds between 1989 and 1995. President Menem faced a spectacular challenge in 1990. Despite winning the presidency in a landslide, his mandate was for a return to Peronist populism—not the neoliberal reforms that he came to believe Argentina’s economic situation necessitated once he took office. If he attempted to establish a coalitional-workable relationship with the congress, the extent of his economic reforms would have been too limited for him to receive more loans from international financial institutions. Instead, he established a venal-parochial relationship with certain legislators by increasing the overall amounts of federal funds that went directly to provinces and guided it using the logic of low-maintenance constituencies. Menem thus channeled *even more* discretionary funds to the highly developed periphery to buy its votes. Between 1989, the year Menem took office, and his reelection in 1995, the developed periphery went from receiving \$203 million total in discretionary funds to \$478 million.

Even more interesting, however, is how the direction federal aid shifted during that period. The developed periphery increased its share of total discretionary funds from 14.5% to 26%—a substantial sum for provinces that only hold 3% of the population.⁷ Contrary to what we might assume, however, the metro received a 38% increase in discretionary funds to \$492 million and it received 26% of the total—a 1% increase from 1989.⁸ Surprisingly it is the less developed *periphery*, provinces that Gibson and Calvo include among their low-maintenance constituencies, that only received 3% more in discretionary funds in 1995 than in 1989 and actually saw its share

⁷ These calculations exclude Governor Menem’s home province of La Rioja (a less developed periphery province). La Rioja saw its share of discretionary transfers increase by 404%, but it is more likely that Menem was providing those funds to reward allies from his time as governor than attempting to win over a congressional delegation to which he was probably close.

⁸ This figure excludes the Federal Capital, for which there is no data.

of discretionary funds fall from 60% to 47%. Menem clearly used low-maintenance constituencies in order to win legislative support for his ambitious economic reforms, but they were mostly limited to the highly developed periphery

This raises the question of why Menem could decrease the portion of the federal budget that the less developed periphery received but still enjoy political support there. Legislators whose districts contain widespread poverty, a less educated public, and low civil society development are unlikely to face serious electoral threats if they support unpopular economic reforms for reasons described in the last chapter. Additionally, highly developed peripheral provinces were less dependent on the federal government for their budget than the less developed periphery. Whereas 72.5% of the budget for developed peripheral provinces came from federal government transfers in 1995, 80.5% of the budgets of the less developed peripheral provinces—provinces that generally receive *less* federal funds per capita—came from federal funds. This gives legislators from the highly developed periphery more freedom in negotiating with the federal government since they could more easily accept a decline in federal funds than legislators from the poorer provinces.

The results of dividing the periphery into a highly developed section and a less developed section means a significant revision of Gibson and Calvo's characterization of the role of low-maintenance constituencies in Argentina. When President Menem faced the challenge of enacting a neoliberal agenda despite campaigning as a populist, he channeled an extremely disproportionate amount of federal funds to highly developed low-maintenance constituencies to win the support of their powerful congressional delegations. If he did not provide a large enough amount of per capita federal resources to those provinces in order to offset the pain of deep economic

reforms, then the legislators' educated, well off constituents could have rebelled. Luckily for Menem, the most developed provinces were also among the most low-maintenance constituencies and could provide enough per capita federal funds to win the support of their legislators without spending the billions that a similar strategy in the metro would have cost. On the other hand, the less developed provinces in the periphery only saw a slight increase in the amount of federal funds they received. Despite being low-maintenance constituencies, Menem did not see a need to funnel more resources to them as he did with highly developed periphery. This is probably a result of the lack of accountability described in the last chapter because of poverty, low levels of education, and low levels of civil society development.

Low-maintenance constituencies thus played a critical role in increasing the number of legislators who acted in a venal-parochial mode. Whereas a simple application of Gibson and Calvo's thesis that low-maintenance constituencies tended to be poor would have resulted in only reinforcing venal-parochial behavior, that Menem funneled resources to low-maintenance constituencies with rich, educated populations meant that he shifted congressional delegations from acting in a workable capacity to a venal-parochial one. Malapportionment placed the congressional delegations of five highly developed peripheral provinces, provinces that held 21% of seats in the Senate and 10% of seats in the Chamber of Deputies, into venal-parochial mode through the incentives of low-maintenance constituencies.

Brazil: A Weaker Low-Maintenance Constituency Logic

Scholars have yet to apply the concept of low-maintenance constituencies to Brazil. Federal transfers to provinces in Brazil take the form of revenue sharing, which

does not change often and are generally apolitical, and voluntary transfers for social programs and pork, which are generally very political (Lima 2001). An analysis very similar to the one I did of Argentina using data from IBGE and the Institute of Applied Economic Research (Instituto de Pesquisa Econômica Aplicada) reveals that the highly developed periphery's role as a bastion of low-maintenance constituencies is very mixed as opposed to the clear role of the Argentine.

Although the simple average of the highly developed peripheral states' receipts suggests that they receive a good deal more than the less developed periphery per capita (\$33,000 as opposed to \$27,000), the elimination of Roraima, a clear outlier, brings that average down to only \$21,000. Roraima, the least populated state, did extremely well in per capita transfers, receiving \$88,000 per citizen in 1998—an extraordinary sum compared to the \$11,000 for the average metro state and \$27,000 for the average peripheral state. The Federal District also did well, receiving \$40,000. The three other highly developed states from the Center-West region, however, received between \$19,000 to 22,000—roughly halfway between the metro and peripheral state averages.

Table 5.1: Federal Voluntary Transfers to Regions in 1998

Region	Average Federal Voluntary Transfers Per Capita in millions of 1998 US \$
North	34
Northeast	23
South	8
Southeast	10
Center-West	28
Metro	11
Periph	27
Highly Developed Periph	33
Highly Developed	21

Periph without Roraima	
Less Developed Periph	24
Source: IPEA and IBGE, 1998	

Particularly strange given the logic of low-maintenance constituencies is that only \$23,000 went to Amapá, the second least populated state and thus an extremely cheap source of votes for the executive. The political situation in 1998 may explain Amapá's small amount. Lima (2001) finds that two variables explain the amount of per capita resources that a state received: unsurprisingly smaller populations meant larger amounts and the governor belonging to a party in President Cardoso's governing coalition also meant larger amounts. Amapá's governor at the time was not, which could explain why it did not receive an amount per capita more similar to Roraima. On the other hand, the congressional delegations of the Argentine highly developed periphery displayed a remarkable political pragmatism, almost always serving in the Argentine president's political coalition and receiving compensation for it. Analysis of data from times when the governor of Amapá and the President did not have different political bases could be very revealing (I could not find such data).

In sum, the highly developed periphery as the source of lower-maintenance constituencies seems to have been much less of a factor in Brazil than Argentina. A good portion of this may result from three differences in Argentina and Brazil. First, the highly developed periphery did not dominate the bottom rung of Brazilian population rankings to the extent it did in Argentina: of the twenty seven Brazilian states, the highly developed peripheral states occupied the twelfth, twenty through twenty second, and twenty sixth through twenty seventh places as opposed to holding five of the eight least populated provinces in Argentina. Second, Brazil is across the

board less developed than Argentina with more poverty and less education everywhere, meaning that all politicians are more likely to represent constituencies that would be naturally reactive to clientelism. The citizens of the Brazilian highly developed periphery would therefore not demand thirty three times their fair share of voluntary transfers in exchange for their politicians supporting neoliberal reforms as the Argentine highly developed periphery. Third, governors have less control over their states' congressional delegations than do Argentine governors because of the open ballot electoral system (Mainwaring 1991, 26-28; Ames 2002, 65-74). Ames demonstrates that Brazilian political candidates tend to focus their campaign efforts on certain municipalities and deliver resources there instead of using state wide political machines. Discretionary transfers therefore may be targeted to municipalities instead of to states.

On the other hand, there is a clear bias in favor of the periphery in general at the expense of the metropolitan provinces in terms of the per capita amount of federal resources. The peripheral states' low populations make most of them low-maintenance constituencies in relation to the metro states and helps explain the amount of federal resources that they receive. The demographics of most peripheral states suggest that they would act venal-parochially without such high amounts of federal resources per capita, thus low-maintenance constituencies reinforce that behavior instead of cause it as happened in the Argentine highly developed periphery.

Uruguay: The Senate as a Check against Venality

The presence of low-maintenance constituencies in Argentina allowed Menem to overcome the challenge posed by highly developed provinces and further reinforced the venal nature of the Brazilian Congress. The low level of malapportionment in the

Uruguayan Chamber of Representatives and the complete lack thereof in the Senate thus prevented presidents from targeting federal resources in as efficient a manner as was done in Argentina.

The Uruguayan Chamber of Representatives, like any legislature in which seats are distributed to subnational units, is not perfectly apportioned. Like Argentina and Brazil and unlike the United States, Uruguay does not automatically shift seats after censuses to track demographic shifts. Thus the Uruguayan Chamber of Representatives is subject to what Samuels and Snyder term “natural malapportionment” (2004). On the other hand, Uruguay has one of the lowest birth rates in Latin America as well as relatively little internal migration, thus the country has not faced the same major natural malapportionment as Brazil where the migration from the North and Northeast to the *favelas* in the Southeast significantly raised that congress’s degree of malapportionment.

The degree of malapportionment affects the viability of a president’s low-maintenance constituency strategy for winning legislative support since the greater the discrepancies between population and voting power, the more efficient channeling a disproportionate amount of resources into a select few district is. The greatest difference in representation in Uruguay is that a vote in the department of Flores receives 3.9 as much representation in the Chamber of Deputies as a vote in the department of San Jose. The greatest difference in the Argentine Chamber of Deputies, however, is almost 13 times and 21 times in the Brazilian Chamber of Deputies. Uruguayan executives could not target the distribution of national resources to certain subnational units to gain a gigantic amount of votes as efficiently as executives in Argentina and Brazil.

The Uruguayan Senate is the ultimate bulwark against a narrowly local, venal approach to politics. The single, national multimember district from which senators are elected represents perfect apportionment. This makes the Uruguayan Senate the polar opposite of the Argentine and Brazilian senates, whose malapportionment dwarfs the considerable malapportionment in the lower houses described above since a vote in a province like Tierra del Fuego is worth hundreds more than a vote in the Province of Buenos Aires.

Even more importantly, senators all represent the same high-maintenance constituency: the nation. The Chamber of Representatives, which is slightly malapportioned, has twenty different electoral districts and the president can still win votes for legislative initiatives by directing national resources to the districts of legislators willing to exchange their vote. Uruguayan senators should be much less likely to engage in venal-parochial behavior since they have no single electoral district for which to act venally. Ames demonstrates that candidates in Brazil's multimember districts focus their campaign efforts on particular neighborhoods and municipalities and delivers clientelistic goods to them (2002b). Such a strategy, however, is impossible with the Uruguayan double simultaneous vote system since voters could only choose a president, a slate of senate candidates, and then a slate of representative candidates. An important area for future research is to what degree *sublemas* concentrate their campaign efforts on certain regions of the country and deliver national resources to those regions. Nevertheless, the Uruguayan Congress is probably a body that would very rarely approve a reform program that required a good deal of sacrifice for the majority of the population while leaving a geographic minority untouched as in Argentina.

Chapter 6: Conclusion

This study sought to provide an explanation to a puzzle: why did the Argentine and Brazilian Congresses act as collectors of pork instead of formulators of policy in the neoliberal era while the Uruguayan Congress aggressively challenged the executive. Malapportionment is an intriguing explanation since the Argentine/Brazilian Congresses are the most extremely malapportioned in the world while the Uruguayan Congress is very proportional. The question of *who* these legislatures represent is a fundamental and overlooked question. If citizens of a certain race, gender, or economic status had their votes count up to one hundred times more than other citizens in legislatures, scholars would easily connect that to legislative outcomes and behavior. The case should be no different with geography when the types of populations overrepresented is not random and with important socioeconomic patterns.

The major difference between the Argentine/Brazilian Congresses and the Uruguayan Congress was that the former acted in what Cox and Morgenstern call a “venal-parochial” mode and the latter acted in a “workable” mode. I also argued that analysts should not think of congresses as monoliths when we assign them modes, but rather as holding differently sized groups of legislators behaving a certain way. Malapportionment can thus provide an explanation for different types of legislative behaviors if legislators from an underrepresented part tend toward one type of behavior and legislators from an overrepresented part tend toward another.

Scholars have referred, in passing, to the Argentine and Brazilian peripheral provinces’ lagging behind metropolitan provinces’s development levels. Using census and UNDP data, I compared peripheral and metropolitan states/provinces in their HDI

scores, education levels, and poverty/inequality. I found that they all differed significantly except for Brazilian inequality, in which the metropolitan and peripheral provinces are quite close. I also found the existence of a handful of states/provinces that make up a highly developed periphery that is comparable to the metropolitan provinces in its performance on these measures. I compared the nations the legislatures govern and the nations they represent, finding a critical importance between the two: the legislatures represent much less developed nations than the ones they governed. A correctly apportioned Argentine legislature would have resembled the Uruguayan in development levels, but the actual did not because of malapportionment. Both Brazilian legislatures fall behind the Uruguayan, though the actual legislature much more than the correctly apportioned one.

Next, I examined how the overrepresentation of the less developed and highly developed peripheries affected the behavior of the Argentine and Brazilian congresses. I found that poor performance on civil society predictors meant a politics that revolved around clientelism, with little accountability, and strong party bosses. This combination made economic reform an exclusionary process in Argentina and Brazil. On the other hand, Uruguay's tradition of a politics of participation without vast swaths living in poverty helped make reform an inclusionary process.

The highly developed periphery is a new concept to students of South American political geography. In Argentina and Brazil, it could serve as a bulwark against the influence of the less developed periphery's brand of exclusionary politics. However, the concept of low-maintenance constituencies developed by Gibson and Calvo explains why they did not. Simply put, they serve as a "greater bang for your buck" in distributing federal resources since a small amount of absolute federal resources can

work out to a large amount per capita in lightly populated states. In such cases, congressional delegations that would normally operate in a programmatic way can be convinced to operate in a venal-parochial way if offered enough. Applying this distinction to Argentina, I find that the large increase in federal funds that went to the periphery in the 1990s mostly went to the highly developed periphery while the share that went to the less developed periphery actually decreased. This is most likely because the less educated population in the less developed periphery is less vocal about its needs while the more educated, politically involved highly developed population would only have allowed their legislators to approve reforms if they received compensation. The image that emerges from Brazil is less clear, but low-maintenance constituencies certainly reinforced the venal-parochial orientation of the less developed periphery. Uruguay, on the other hand, lacks very low-maintenance constituencies and its senate is elected on a national basis and thus does not have the local, particularistic incentives that the two other senates have.

Malapportionment and Democratization

Of the challenges that confront Latin American democracies, weak legislatures rank high on the list. O'Donnell argues that students of democracy need to separate democratic transitions into two stages: the transition from authoritarian rule to a democratically elected government and the other "from a democratically-elected government to a democratic regime or, equivalently, to an institutionalized, consolidated democracy." A country makes the second transition based on its "success or failure in the building of a set of institutions which become important decisional points in the flow of political power" (1994, 1-2). Countries that struggle with the

second transition, “delegative democracies” as O’Donnell calls them, often have a president who governs without the constraints of an independent congress or judiciary. The political process behind economic reform in 1990s exhibited the delegative nature of Argentine and Brazilian democracy since the congresses of both countries gave the president a “blank check” in economic policy as long as he provided adequate resources to their clientelistic networks.

Did malapportionment assist or impede in Argentina and Brazil’s second transition? Samuels and Snyder conjecture that malapportionment may actually “contribute to a process whereby democracy is simultaneously strengthened at the center and undermined in the periphery” since anti-democratic elites in the periphery have less to fear from a democratic transition and will consent to it because they will retain enough legislative power to prevent the federal government from challenging their authority (2001b). By breaking down democratic transitions into O’Donnell’s two parts, however, the result appears mixed. Though malapportionment may strengthen democracy by allowing the first transition to occur, this study’s results indicate that it prolongs the period spent as a delegative democracy by strengthening the executive branch in two ways: first malapportionment gives an increased voice to less developed parts of the country and second, it vastly reduces the costs of vote buying.

Democratization Debates Brought Down to the Subnational Level

Political scientists beginning with Seymour Martin Lipset have pondered the relationship between economic development and democracy (1959). This relationship

or lack thereof continues to intrigue political scientists and cause debate over articles like “Modernization: Theories and Facts” by Przeworski and Limongi (1997). It has also led to a debate on “sequencing”—whether democracy should precede or follow economic development or improved governance (Zakaria 2003; Fukuyama 2007; Mansfield and Snyder 2007). The war in Iraq and neoconservatism have also placed front and center the question of what developed democracies can do to promote democratization (Carothers 2007). Grappling with the world’s cavernous political, economic, and social disparities unifies these debates over democracy. Can the same system of government work equally effectively in Indonesia as in Iceland?

Yet these debates have often ignored the equally important question of whether the same system of government can work as well in modern, cosmopolitan Jakarta as Indonesia’s most remote, underdeveloped island. Subnational disparities can be every bit as real and insurmountable as international ones. To better understand international patterns, scholars must also study intranational patterns. Do Lipset’s correlations between development and democracy, and Przeworski and Limongi’s minimum GDP per capita levels for sustainable democracy also apply to subnational regions? National data can hide important creeping variables that appear on the subnational level: Przeworski and Limongi counted two of Argentina’s democratic breakdowns as outliers of their theory that increased GDP per capita reduces the chance of democratic breakdown. Could the low GDP per capita levels in the periphery explain Argentina’s outlier status during the mid twentieth century and could these subnational disparities still detract from Argentina’s democratic governance? Unfortunately, Purchasing Parity Power GDPs, the measure of income Przeworski and Limongi use to predict the success

of a democratic regime, are not available at the subnational level so we cannot compare on “which side of the line” different subnational units in Argentina and Brazil fall.

Similarly, if we accept Mansfield, Snyder, and Zakaria’s advice that autocrats should “sequence” the introduction of democracy after other goals have been met, then how should we look on countries with large geographic disparities in economic development and successful governance? Should nations introduce democracy on the subnational level where criteria have been met and wait for all regions to meet criteria before the introduction of democracy on the national level? Or does a majority living with successfully met criteria suffice? Scholars generally believe that exogenous democratization imposed by a foreign power is less likely to survive than endogenous democratization springing from a people’s organic desire for self-government. But do we consider democracy imposed on the periphery by the metropolis exogenous or endogenous? The Argentine and Brazilian cores served as the center of the democratization movements during the 1970s and 1980s. Would their forced democratization of Paraguay have been any less successful than their democratization of Northwest Argentina and North Brazil?

Legislative malapportionment in Argentina and Brazil elevates subnational development disparities to among their greatest challenges in democratic consolidation. Whereas only a minority in both countries reside in less developed areas, those minorities hold majorities in the Argentine and Brazilian Congresses and thus hold vetoes on national policymaking.

Subnational Disparities and Malapportionment as Challenges for Democratization

Of developing nations, Argentina and Brazil are among the most geographically unequal in their development. Portions of both countries resemble the Czech Republic while others resemble Palestine. Cities like Córdoba, Argentina and Florianopolis, Brazil boast highly educated populations in which university education is normal and gut-wrenching poverty is not; the populations of Northwest Argentina and North Brazil, on the other hand, lack access to potable water. This disparity results in the legislatures of both countries behaving like the legislatures of less developed countries because the less developed areas enjoy an advantage in representation. Moreover, even legislators representing districts with strong civil societies, relative economic equality, and educated constituents confront a different incentive structure than they would in a correctly apportioned chamber. To act on a programmatic basis in a congress where the majority acts on a venal/parochial one is to deliver speeches that convince nobody, to negotiate using a currency (policy) that nobody else uses, and to ensure that one's constituents simply pay money into the federal government for the benefit of other legislators' constituents. In such a situation, the focus of the Congress shifts even more thoroughly and solidly in the venal-parochial direction.

Federalism further increases the ability of subnational disparities to challenge democracy. A developed majority similar to Argentina and Brazil could prevent the less developed minority from electing governments single handedly. Yet if less developed populations govern their own territory, they can elect subnational politicians that wield substantial power and whose political base is clientelism and patronage instead of policy. They can more easily develop their own particular political cultures this way, insulated from the developed majority. Governors serving as provincial party bosses can use state and federal resources to buy votes for their machines to elect

federal representatives. An interesting topic for future study would be a comparison between a federal country and a unitary country, both with significant subnational disparities.

Uruguay lacks such strong subnational inequalities as well as federalism; despite some regional variations, it is a completely middle-income country. Moreover, it possesses a uniquely democratic, participatory culture for South America. Leaving aside malapportionment, both of these help explain its strong, independent congress. Yet it is less clear that this democratic culture could have successfully taken root in a malapportioned congress. Argentina's highly developed low-maintenance constituencies demonstrate that no matter how developed, educated, and wealthy a district, its legislators can act in a venal-parochial manner if it wields enough disproportionate voting power. Furthermore, clientelistic machines could have developed in rural portions of the country if politically controlled resources had become more important to the local economies of low-maintenance constituencies. Uruguay did not develop an open, democratic culture because it lacked malapportionment—unique historic variables like the factional civil war of the 19th century and the leadership of President Batlle y Ordóñez bear that distinction. On the other hand, the question is not if a legislature is venal-parochial or workable but how large the sizes of the various factions were. The low-maintenance constituency logic and the overrepresentation of some less developed areas would certainly have increased the size of the legislature's venal-parochial faction. In that case, malapportionment would have proven an obstacle to the development of a policy-focused congress. Similarly, the Paraguayan legislature is well apportioned, but that country was more of a dictatorship than a delegative

democracy in the 1990s. Malapportionment is an obstacle to the second consolidation, the absence of which does not mean that other obstacles do not exist.

Aiding the Select Rich

Malapportionment has real consequences for the distribution of federal resources: the more representation a district receives, the more resources it will receive. If one accepts that the periphery—the most concentrated pocket of poverty in Argentina and Brazil—receive more federal resources, this is hardly objectionable. In this light, malapportionment could theoretically function as an automatic wealth redistribution mechanism. Stepan finds that federal systems are less likely to have extensive welfare states because of the increased number of veto points (2004), but the increased representation of poor areas could serve as a check on this tendency. However, this study has revealed two important caveats to this potentially beneficial result of malapportionment.

First, malapportionment does not particularly benefit the less developed Argentine provinces. Although they certainly receive more funds per capita than the metropolitan provinces, they still receive a good deal less than the resource rich peripheral provinces in the south. Some of the least developed provinces have medium sized populations and thus receive extremely low amounts of federal funds per capita that prevent their development. The development rationale for the disproportional flow of federal funds from the metro to the periphery does not apply in Argentina.

Second, politically controlled federal funds rarely find their way to the people who most need them. Instead, federal funds' distribution tends to reflect disparities of political power, with the majority going to those who have it. These funds go to the

political machines that dominate peripheral provinces and use their access to federal money for health care and government jobs to keep winning elections in order to keep on receiving funds. Rather than thinking of a disproportionate amount of funds going to peripheral provinces, it would be more accurate to conceptualize them as going to provincial party machines in the periphery. The money that goes into provincial party machines is money that cannot go to more carefully designed social programs that could reduce poverty in the periphery instead of benefit party machines. Moreover, there exists very real poverty in the metropolitan provinces/states of both Argentina and Brazil and this maldistribution of federal resources prevents the emergence of social policy to alleviate it.

This study has avoided the major normative questions that the overrepresentation of some populations based on territory presents. Some criticize any violation of the “one person, one vote” principle as a violation of democracy itself. Dahl, for example, sees the considerable overrepresentation of some states in the U.S. Senate as one of the three remaining undemocratic features of the U.S. Constitution (Dahl 2004).⁹ On the other hand, Gibson, Calvo, and Falleti have defended representation based on territory in Latin America—the cause of massive senatorial malapportionment. (2004). This study has nothing new to add to the debate over whether malapportionment in principle violates representative government.

⁹ Paradoxically, if one person, one vote is a requirement for a democracy, peripheral legislators’ venal-parochial orientation may harm Argentine and Brazilian democracy less than a programmatic orientation would: at the very least their loyalty to the president is loyalty to a politician who wins the national popular vote. From this perspective, if the 50% of senators who represented 12% of the Argentine and 16% of the Brazilian population had actually opposed the economic reforms out of policy concerns, it may have been less democratically legitimate than their acquiescence to the executive.

Yet this study shows that malapportionment had real effects on democratic governance in Argentina and Brazil during the 1990s. Even if representation based on territory has a liberal democratic justification, the delegative democracy that it supports does not. As for what policies governments can enact in order to combat malapportionment's corrosive effects on liberal democracy, they have two avenues—both obvious and difficult.

The first is a reform of legislative apportionment in both countries to more accurately reflect their actual population distributions. This would bring the countries that the legislatures represent and govern into closer unity by making the former much more developed. The principle of territorial representation that Gibson, Calvo, and Falletti defend would not necessarily have to disappear: the German *Bundesrat* gives the less populated *Länder* a disproportionately large voice but does not give them all the same strength regardless of population. Such a solution, however, would be exceedingly difficult to pass because amendments must go through the senates of both countries—exactly where less populated provinces wield the most power and can vote to retain their power. Barring significant constitutional crises, coups, or a delegative democrat with overwhelming popularity and power (one to whom Hugo Chávez would pale in comparison), this reform will probably never come to pass.

The other solution could occur, but is exceedingly difficult. The Argentine and Brazilian populations have become wealthier and more educated by migrating from the periphery to the metro. Yet by leaving the peripheral provinces behind but not changing the number of legislative seats they receive, their political cultures and power have not much changed since the middle of the twentieth century. A concentrated effort to increase the wealth and education of the general populations of the Argentine and

Brazilian peripheries could help them leave the politics of patronage and pork for a more programmatic form of politics as citizens come to demand representation instead of paltry amounts of politically controlled resources. This approach, however, has two central weaknesses. First, it cannot end the venal-parochial orientation of the Argentine highly developed periphery's congressional delegation. As long as a vote in Tierra del Fuego is worth hundreds of times a vote in Buenos Aires, then presidents will always be able to buy their votes for a relatively small amount of money to enact unpopular agendas. Increases in development in some cases would only increase the size of the highly developed periphery. Second, and more importantly, significant increases in wealth and education of parts of nations that have relatively few natural resources is a task easier said than done.

Argentine and Brazilian democracy have faced almost uncountable obstacles: imperialism, caudillos, military juntas, widespread poverty, hyperinflation, and serf-like status for some citizens. Malapportionment is itself not one of these. The world's oldest continuous democracy, the United States, has a Senate that plays a strong role in policy formulation—albeit with its share of pork-focused members—despite being the third most malapportioned upper house in the world. Through historical accident and clever design by anti-democrats, however, malapportionment reinforces Argentine and Brazilian democracy's challenges as this study has demonstrated. Such disproportionate election systems are bound to have some effect on congress and, unfortunately, it is a negative one. Legislative malapportionment is a tool often used in pacts during democratic transitions in order to alleviate the concerns of opponents to democratization (Samuels and Snyder 2001b). Pro-democratic forces should look to the

Argentine and Brazilian cases as a warning before they agree to giving some an unequal voice—for it may permanently turn the legislature into an unequal branch.

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Bibliography

- Altman, David and Daniel Chasquetti. 2005. "Re-Election and Political Career Paths in the Uruguayan Congress, 1985 – 99." *The Journal of Legislative Studies*. 11 (2): 235–253
- Ames, Barry. 1995. "Electoral Rules, Constituency Pressures, and Pork Barrel: Bases of Voting in the Brazilian Congress." *The Journal of Politics*. 57 (2): 324-43
- Ames, Barry. 2002a. "Party Discipline in the Chamber of Deputies." In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. New York: Cambridge University Press
- Ames, Barry. 2002b. *The Deadlock of Democracy in Brazil*. Ann Arbor, MI: University of Michigan Press.
- Anheier, Helmut K. 1998. *Civil Society: Measurement, Evaluation, Policy*. London:, UK: Earthscan Publications.
- Bambaci, Juliana, Tamara Saront, and Mariano Tommasi. "The Political Economy of Economic Reforms in Argentina." *Journal of Economic Policy Reform*. 5 (2): 75-88.
- Bartkowski, Jerzy and Aleksandra Kasínska-Kania. 2004. "Voluntary Organizations and the Development of Civil Society." In *European Values at the Turn of the Century*, ed. Wilehlmus Antonius Arts and Loek Halman. Leiden: Brill.
- Blake, Charles H. 1998. "Economic Reform and Democratization in Argentina and Uruguay: The Tortoise and the Hare Revisited?" *Journal of Interamerican Studies and World Affairs* 40 (3): 1-26.
- Calvo, Ernesto, and Maria Victoria Murillo. 2004. "'Who Delivers? Partisan Clients in the Argentine Electoral Market'." *American Journal of Political Science*. 48 (4): 742-757.
- Calvo, Ernesto and Maria Victoria Murillo. 2006. "A New Law of Argentine Politics." In *Argentine Democracy*, eds. Steven Levitsky and Maria Victoria Murillo. University Park, PA: Pennsylvania State University Press.
- Calvo, Ernesto, Mariela Szwarcberg, Juan Pablo Micozzi y Juan Facundo Labanca, 2001. "Las Fuentes Institucionales del Gobierno Dividido en la Argentina: Sesgo Mayoritario, Sesgo Partidario y Competencia Electoral en las Legislaturas Provinciales Argentinas." In *Federalismo Electoral Argentino*. Buenos Aires: Eudeba, 53-98.
- Carothers, Thomas. 2007. "The 'Sequencing' Fallacy." *Journal of Democracy*. 18 (1), 12-27.
- Cason, Jeffrey. 2000. "Electoral Reform and Stability in Uruguay." *Journal of Democracy*. 11 (2); 85-98.

- Cox, Gary, and Scott Morgenstern. 2002. "Epilogue: Latin America's Reactive Assemblies and Proactive Presidents." In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. New York: Cambridge University Press.
- Dahl, Robert. 2003. *How Democratic is the American Constitution?* New Haven, CT: Yale University Press.
- De Luca, Miguel, Mark P. Jones, and Maria Inks Tula. 2002. "Back Rooms or Ballot Boxes? Candidate Nomination in Argentina." *Comparative Political Studies* 35: 413-436.
- Desposato, Scott W. 2006. "Parties for Rent? Ambition, Ideology, and Party Switching in Brazil's Chamber of Deputies." *American Journal of Political Science* 50 (1): 62-80.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper.
- Eaton, Kenneth. 2006. "Politicians and Economic Reform in New Democracies." In *Argentine Democracy*, ed. Steven Levitsky and Maria Victoria Murillo. University Park: Pennsylvania State University Press.
- Fleischer, David. 1994. Manipulações Casuísticas do Sistema Eleitoral Durante o Período Militar, ou Como Usualmente o Fetiço Voltava contra o Feitiçero. *Cadernos de Ciência Política* 10. Brasília: Universidade da Brasília, Depto. de Ciência Políticas e Relações Internacionais.
- Fox, Jonathan A. 1994. "The Difficult Transition from Clientelism to Citizenship: Lessons from Mexico." *Center for Global, International and Regional Studies. Reprint Series*. Paper CGIRS-Reprint-2005-5.
- Fukuyama, Francis. 1999. "Social Capital and Civil Society." Prepared for delivery at the IMF Conference on Second Generation Reforms, George Mason University. October 1st.
- Fukuyama, Francis. 2007. "Liberalism versus State-Building." *Journal of Democracy*. 18 (3)
- Gibson, Edward and Ernesto Calvo. 1997. "Electoral Coalitions and Market Reforms: Evidence from Argentina." Paper presented at XX International Congress, Latin American Studies Association, Guadalajara, Mexico. April 17-19.
- Gibson, Edward and Ernesto Calvo. 2000. "Federalism and Low-Maintenance Constituencies: Territorial Dimensions of Economic Reform." *Studies in Comparative International Development* 35 (3): 32-55.
- Gibson, David, Ernesto Calvo, and Tulia Falletti. 2004. "Reallocative Federalism: Legislative Overrepresentation and Public Spending in the Western Hemisphere." In *Federalism and Democracy in Latin America*, ed. Edward Gibson. Baltimore: Johns Hopkins University Press.
- Gudgin, Graham and Peter J. Taylor. 1979. *Seats, Votes, and the Spatial Organisation of Elections*. London: Pion.

- Gutierrez, Alfredo and Carlos Quiro. 2000. "Después de negociar, el Gobierno logró la reforma." *El Clarín*. April 27.
- Haggard, Stephan and Robert R. Kaufman. 1995. *The Political Economy of Democratic Transitions*. Princeton, NJ: Princeton University Press.
- Hunter, Wendy. 2003. "Brazil's New Direction." *Journal of Democracy*. 14 (2), 151-161.
- Hwang, Wonjael, and Mark P. Jones. 2006. "Provincial Party Bosses: Keystone of the Argentine Congress." In *Argentine Democracy*, ed. Steven Levitsky and Maria Victoria Murillo. University Park, PA: Pennsylvania State University Press.
- Jones, Mark P. 2002. "Explaining the High Level of Party Discipline in the Argentine Congress." In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. New York: Cambridge University Press.
- Jones, Mark P., Sebastian Saiegh, Pablo T. Spiller, and Mariano Tommasi. 2002. "Amateur Legislators -- Professional Politicians: The Consequences of Party-Centered Electoral Rules in a Federal System." *American Journal of Political Science* 46 (3): 656-69
- Kay, Steven J. 1999. "Unexpected Privatizations in the Southern Cone." *Comparative Politics*. 31 (4), 403-422.
- Levitsky, Steven. 2003. *Transforming Labor-Based Parties in Latin America: Argentine Peronism in Comparative Perspective*. New York: Cambridge University Press.
- Lima, Edilberto Carlos Pontes. 2001. "Transfers from Federal Government to States and Municipalities in Brazil." *Institute of Brazilian Issues*, The Minerva Group.
- Lipset, Seymour Martin. 1959. "Some Social Requisites of Democracy: Economic Development and Political Legitimacy." *The American Political Science Review*, 53 (1), 69-105.
- Llanos, Mariana and Francisco Sánchez. 2006. "Council of Elders? The Senate and its Member in the Southern Cone." *Latin American Research Review*. 41(1): 133-152.
- Mainwaring, Scott. 1991. "Politicians, Parties, and Electoral Systems: Brazil in Comparative Perspective." *Comparative Politics* 24 (1): 21-43.
- Mezey, Michael. 1979. *Comparative Legislatures*. Durham, NC: Duke University Press.
- Mainwaring, Scott. 1992. "Brazilian Party Underdevelopment in Comparative Perspective." *Political Science Quarterly*. 107 (4): 677-707.
- Mainwaring, Scott and David Samuels. 2004. "Strong Federalism, Constraints on the Central Government, and Economic Reform in Brazil." In *Federalism and Democracy in Latin America*, ed. Edward Gibson. Baltimore: Johns Hopkins University Press.

- Mansfield, Edward D. and Jack Snyder. 2007. "The Sequencing 'Fallacy.'" *Journal of Democracy*. 18 (3)
- Morgenstern, Scott. 2002. "Explaining Legislative Politics in Latin America." In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. New York: Cambridge University Press.
- Morgenstern, Scott. 2004. *Patterns of Legislative Politics: Roll Call Voting in Latin America and the United States*. Cambridge, U.K. ; New York: Cambridge University Press.
- O'Donnell, Guillermo. 1993. "On the State, Democratization, and some Conceptual Problems: A Latin American View with Glances at some Post-Communist Countries." *World Development* 21 (8). 1355-69.
- O'Donnell, Guillermo. 1994. "Delegative Democracy." *Journal of Democracy* 5.1: 55-69.
- O'Donnell, Guillermo. 1996. "Another Institutionalization: Latin America and Elsewhere," *Journal of Democracy* 7, 2: 34-51.
- Oxhorn, Philip and Graciela Ducatenzeiler. 1999. "The Problematic Relationship Between Economic and Political Liberalization: Some Theoretical Considerations." In *Markets & Democracy in Latin America*, ed. Philip Oxhorn and Pamela K. Starr. Boulder, CO: Lynne Rienner Publishers.
- Pereira, Anthony W. Pereira. 1993. "Economic Underdevelopment, Democracy and Civil Society: The North-East Brazilian Case." *Third World Quarterly*. 14 (2): 365-380.
- Putnam, Robert. 1995. "Bowling Alone: America's Declining Social Capital." *Journal of Democracy*. 6(1): 65-78
- Przeworski, Adam and Fernando Limongi. 1997. "Modernization: Theory and Facts." *World Politics* 49(2), 155-183.
- Rosenberg, S.W. 1998. "The Structure of Political Thinking." *American Journal of Political Science*. 32, 539-566.
- Samuels, David. "Progressive Ambition, Federalism, and Pork-Barreling in Brazil." In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. New York: Cambridge University Press.
- Samuels, David. 2000. "Ambition and Competition: Explaining Legislative Turnover in Brazil." *Legislative Studies Quarterly* 25 (3): 481-97
- Samuels, David, and Richard Snyder. 2001. "The Value of a Vote: Malapportionment in Comparative Perspective." *British Journal of Political Science* 31 (4): 651-71

- Schlesinger, Joseph A. 1966. *Ambition and Politics: Political Careers in the United States*. Chicago: Rand McNally
- Selcher, Wayne. 1998. "The Politics of Decentralized Federalism, National Diversification, and Regionalism in Brazil." *Journal of Interamerican Studies and World Affairs*. 40 (4), 25-50.
- Snyder, Richard, and David Samuels. 2004. "Strong Legislative Malapportionment in Latin America: Historical and Comparative Perspectives." In *Federalism and Democracy in Latin America*, ed. Edward Gibson. Baltimore: Johns Hopkins University Press.
- Sondrol, Paul C. 1997. "Paraguay and Uruguay: Modernity, Tradition and Transition." *Third World Quarterly*. 18 (1.), 109-125.
- Spektorowski, Alberto. 2000. "Nationalism and democratic construction: the origins of Argentina and Uruguay's political cultures in comparative perspective." *Bulletin of Latin American Research*, 19 (1), 81-99
- Spiller, Pablo T., and Mariano Tommasi. 2006. "The Institutional Foundations of Public Policy." In *Argentine Democracy*, ed. Steven Levitsky and Maria Victoria Murillo. University Park: Pennsylvania State University Press.
- Stallings, Barbara. 1002. "International Influence on Economic Policy. In *the Politics of Economic Adjustment*, eds. Stephan Haggard and Robert Kaufman. Princeton, NJ: Princeton University Press.
- Stepan, Alfred. 2004. "Electorally Generated Veto Players in Unitary and Federal Systems." In *Federalism and Democracy in Latin America*, ed. Edward Gibson. Baltimore: Johns Hopkins University Press.
- Taagepera, Rein and Matthew S. Shugart. 1989. *Seats and Votes: The Effects and Determinants of Electoral Systems*. New Haven, CT: Yale University Press.
- Teichman, Judith A. 2001. *The Politics of Freeing Markets in Latin America*. Chapel Hill, NC: The University of North Carolina Press.
- U.N. Development Programme. 1992. "Human Development Report 1992."
- U.N. Development Programme. 1991. "Report on Human Development in Argentina.
- U.N. Development Programme. 1991. "Report on Human Development in Brazil.
- U.N. Development Programme and U.N. Economic Commission for Latin America and the Caribbean. 2001. "Desarrollo humano en Uruguay."
- Vacs, Aldo. 1994. Convergence and Dissension. In *Latin American Political Economy in the Age of Neoliberal Reform*, eds. William Smith, Carlos Acuña, and Eduardo Gamarra. New Brunswick: Transaction Press.

Weyland, Kurt. 2002. *The Politics of Market Reform in Fragile Democracies*. Princeton, NJ: Princeton University Press.

Williamson, John. 1990. "What Washington Means by Policy Reform." In *Latin American Adjustment: How Much Has Happened*, ed. John Williamson. Washington, D.C.: Institute for International Economics.

Zakaria, Fareed. 1997. "The Rise of Illiberal Democracy." *Foreign Affairs*, November/December