ALL OPPOSED: THE RELATIONSHIP BETWEEN PUBLIC APPROVAL AND PRESIDENTIAL LEGISLATIVE SUCCESS IN ARGENTINA

by

Channing E. Thomas

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This thesis was presented

by

Channing E. Thomas

It was defended on

April 5th, 2018

and approved by

Barry Ames, PhD, Department of Political Science

Ernesto Calvo, PhD, Department of Political Science

Scott Morgenstern, PhD, Department of Political Science

Thesis Director: Aníbal Pérez-Liñán, PhD, Department of Political Science

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This thesis explores the effect of public approval on presidential legislative success as conditional on the presence of presidential majorities using conditional party government (CPG), cartel theory, and agenda setting theory. Highly-disciplined majority parties, acting as cartels, exercise negative agenda setting power to preserve the interests of the party and protect the party label. Presidential majorities exercise negative agenda setting power to constrain their president when the president is unpopular. The empirical analysis in this study models agenda setting, measures explanatory factors of legislative success, and predicts presidential legislative success using all of the presidential legislative bills introduced in Argentina from 1983 to 2015. Approximately sixty percent of all presidential bills in this sample were successfully enacted, leaving some eight hundred and fifty bills that, at some point in the legislative process, failed. The results show that in the Chamber of Deputies the likelihood that a bill is shelved in committee depends on public approval when the chamber is controlled by the opposition or the president's party; presidential majorities in the Chamber of Deputies are no less likely than the opposition to shelve bills when the president is unpopular. In the Senate, the interaction effect of public approval and majority control shows a positive and statistically significant relationship; whereby presidential majorities are more likely to constrain their own president against public opinion wishes. The unexpected results suggest that partisan behavior differs in the Senate and may be explained by more individualist senators that do not delegate full authority to the party.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

PREFACE

My first thank-you is addressed to this project; a project that humbled and continues to humble me. It is a thank-you for enhancing my undergraduate experience, and teaching me things from experience. What I have done with this project, I want to continue doing; through this research I have learned that the way we measure matters; for our observations and our perceptions. I am truly grateful and extremely humbled to have had this experience as an undergraduate.

The thanks continue: I would like to thank my thesis advisor, Professor Aníbal Pérez-Liñán; this project would not have been possible without his expertise, and his continued support and confidence. I would also like to thank Professor Ernesto Calvo of the University of Maryland, College Park, whose database served as the foundation on which I built this thesis; all of the interviewees and academics, whose knowledge about this subject comes from years of experience and who found time to share their experience with me; the University Honors College, for funding me in this venture; my family and friends who provided me with unfailing encouragement; and ultimately, Him, who gives me strength and resolve.

1.0   INTRODUCTION

This thesis seeks to explain the success of the presidential legislative agenda in the committee stage of the legislative process; more specifically, the circumstances in which presidential bills are blocked in committee of bicameral legislatures. I describe these circumstances by analyzing the effect of public approval on presidential legislative success as conditional on the presence of presidential majorities in the lower and upper houses of congress. This leads to the following question: under what conditions are cohesive presidential majorities willing to block the president's legislative agenda?

The majority not only rules, but also wins; this statement is neither revolutionary nor controversial. It is, however, the foundation of democratic governance and the legitimacy claim of two, key government institutions: the executive branch and the legislative branches. The executive and the legislative branches coexist in the realm of policymaking; this relationship is characterized by the president's party in majority as well as minority control in congress. This inter-branch relationship is mutually beneficial and provides the executive and legislative branch the power to govern successfully. This successful governance can be defined two ways: it is the power to promote the legislation of the party and it is the power to block the opposition legislation that threatens the interests of the party. These agenda setting powers—positive and negative—explain legislative behavior and the interaction between the executive and the

legislature. Extant literature explores both the powers of the president and congress (Alemán 2013, Ames 2009, Calvo and Chasquetti 2016, Catt 2013, Cohen 2013, Figueiredo, Salles, and Vieira 2009, Kim and Phillips 2009, King, Orlando and Rohde 2016, Lebo and O'Geen 2011, Chasquetti 2013, Chasquetti and Micozzi 2014). Included in these observations are the powers of congress and its behavior regarding presidential legislation. Previous work suggests that legislative majorities affect the success of the president's legislative agenda. This paper seeks to explain the legislative success of the president vis-à-vis partisanship and public approval.

Section 1 concludes with the motivations of this paper, and addresses the justification for studying executive-legislative relations in the Argentine context. Section 2 lays the theoretical foundation, describing the general and specific theoretical framework in which this study fits. Section 3 uses theory to describe the Argentine case. Section 4 is the empirical analysis. Section 5 presents the empirical results; section 6 concludes and proposes future areas of research.

1.1   JUSTIFICATION

The ability of the majority party to legislate is a measure of effective governance (Saiegh 2011); effective governance is a consequence of the majority party's support (or opposition) of the president's legislative agenda. Governability legitimizes the institution, and explains the presidential majority party's support of presidential legislation. With this in mind, the failure of the president's legislative agenda deserves special attention.

Literature frames the failure of presidential legislation when they have a majority in two ways: as an ideological miscalculation and as a partisan cost. Although the ideologically-based

explanation is valid, the partisan explanation is particularly interesting. The failure of presidential legislation in legislatures characterized by fragmented and weakly-partisan politics is attributed to imperfect information and the inability to predict outcomes (Ames 2009). In legislatures characterized by highly-disciplined party politics, it is argued, legislative majorities have vested interest in the president's legislative agenda, because the president's legislative success affects the chances of the legislators' reelection. The cost of partisanship is reelection[1]. Previous literature tells us that Argentine presidents often have majorities, that their parties are highly-disciplined, and that their parties get bills approved with only a plurality in congress (Jones and Hwang 2005, 2009). Paradoxically, literature also tells us that a substantial number of bills initiated by the president fail (Calvo 2014, Cox and Morgenstern 2001, Saiegh 2011). This paradox—that majority parties successfully pass legislation and yet the president's legislation fails to pass—suggests that even presidents acting in legislatures characterized by highly-disciplined party politics face a great deal of uncertainty. A president operating in this type of legislative environment, it may be argued, faces greater uncertainly when interacting with their own party. Also significant, is the possibility that highly-disciplined parties are in fact conditional and worth exploring in greater detail. Using the Argentine case, this paper will explore the effect of public approval on presidential legislative success as conditional on the presence of presidential majorities. Is it possible that presidential majorities are detrimental to the president's agenda; why is this so?

This thesis shows that presidential majorities in Argentina sometimes exercise agenda control by shelving the president's bills in committees rather than voting the bills down on the

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[1] While referring to reelection of members of congress in the U.S. case, in the Argentine case this refers to provincial party leadership.

floor. In this thesis, within the sample of presidential bills introduced when they have a majority, presidential majorities oppose the president 21% of the time. Moreover, presidential majorities in the Chamber of Deputies (*la Honorable Cámara de Diputados de la Nación Argentina*) are more likely to exercise agenda control when the president is unpopular, whereas presidential majorities in the Senate (*el Honorable Senado de la Nación Argentina*) are more likely to exercise agenda control when the president is popular.

The counterintuitive behavior of presidential majorities in the Senate may be explained by the strong electoral connection senators maintain in their provinces and therefore delegate less power to the party label; the strong provincial link allows senators to operate as individualists— unlike the deputies in the Chamber, who rely on the provincial party bosses for election. In previous literature, King, Orlando, and Rohde (2016) show that partisan behavior differs across chambers, whereby the upper chamber is not as partisan in relative terms, but still significantly partisan nonetheless. In the Argentine Senate, it appears that senate majorities of the same party as the president respond to public approval in an unexpected way. Theories on legislative behavior, public approval, and the relationship between the two are discussed in the next section.

2.0 THEORETICAL FOUNDATIONS

How do majorities affect presidential legislative success? Are presidential majorities always good for the president? Extant literature analyzes the factors affecting legislative success in country-specific and cross-national studies of unicameral legislatures, bicameral legislatures with upper and lower chambers of congress, plenary sessions as well as committees (Alemán 2013, Anderson, Box-Steffensmeier, and Sinclair-Chapman 2003, Bianco and Sened 2005, Calvo 2014, 2007, Calvo and Tow 2009, Chasquetti 2013, Cox and McCubbins 2005, Jones and Hwang 2005, King, Orlando, and Rohde 2016, Morgenstern and Nacif 2002, Sinclair 2003, Tsebelis and Alemán 2005).[2] Figueiredo et al (2005) address the agenda setting power of the executive in a Latin American context; suggesting this mechanism is used by the president to constrain their party. This paper seeks to explain the other side of the executive-legislative relationship: *why* and *when* the legislative majority party is actually constraining the president. This section presents the theoretical foundation on which this study rests; this includes conditional party government (CPG), cartel theory, and negative agenda setting power of legislative majorities and public approval.

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[2] Note that 'floor' and 'plenary' are synonymous in the Argentine context.

2.1 THEORETICAL FRAMEWORK

This paper explores partisanship and its effect on the success of the president's legislative agenda: how do majorities affect presidential legislative success? Is it possible that presidential majorities are not always good for the president?

2.1.1 Theory on legislative behavior

Conditional party government (CPG) is commonly used to describe legislative behavior. Introduced by Cox and McCubbins (1993, 2005), CPG theory is often used to describe the coordination within a party and the interaction between parties in congress (Bianco and Sened 2005, King, Orlando, and Rohde 2016, Lebo and O'Geen 2011, Morgenstern and Nacif 2002, Sinclair 2003). In CPG, legislative majorities set and control a legislative agenda that favors the majority party (Bianco and Sened 2005). Legislators of the majority party reap the benefit of majority status when party leadership exercises control over the legislative agenda; the expectation being that greater control over the legislative process increases the likelihood of legislative success (Figueiredo, Salles, and Vieira 2009, Kim and Phillips 2009).

This intraparty behavior is a strategy used to successfully promote a partisan legislative agenda. Majority parties matter; *when* and *why* they matter is a frequent subject of study (Krehbiel 1999). The study of legislative success and the factors explaining legislative success for the majority party are extensive. Legislative success is commonly thought to depend on uncertainty—when uncertainty exists in the preferences of the individual legislator. Majorities concretize legislative success by reducing uncertainty (Saiegh 2011); the reduction in uncertainty

is useful to explain partisan behavior in congress. It is important to note that partisan behavior differs across chambers, whereby the upper chamber may not be as partisan in relative terms, but still significantly partisan nonetheless (King, Orlando, and Rohde 2016).

Cartel theory. Cartel theory is derived from the CPG theoretical framework. Described by Cox and McCubbins (1993, 2005), cartel theory is an extension of CPG and further describes legislative behavior. Cartel theory is the delegation of power to party leadership; members of congress delegate power to party leadership to avoid division. The cartel has two conditions: first, legislators who delegate power to party leadership and second, a party that successfully controls the legislative gates—either by promoting partisan legislation or blocking opposition legislation. The traditional theory argues that legislators are individualistic and delegate some of this power to party leadership in order to more effectively promote their interests. Legislators delegate authority to party leadership to promote the legislative agenda of the party and avoid division.

The Cartel Agenda Model theorizes that majority parties operate with extreme levels of discretion in the agenda setting process. This makes legislative success—specifically, at the committee stage—extremely difficult without the approval of the majority party (Cox and McCubbins 2005). Furthermore, the agenda setting powers (negative and positive) of the majority cartel are used to benefit the party; negative agenda setting is directed at legislation unfavorable to the majority party (Jones and Hwang 2005). Exercising control in the committee and plenary stages of the legislative process, majority party leadership is able to set an agenda favorable to the collective interest of the majority party. Legislative cartels exercise agenda setting control to benefit its members. Positive agenda setting manifests itself in the form of legislative proposals and, as a result, successful legislative agendas (Cox and McCubbins 2007).

A majority party is not a sufficient condition for a cartel; in order to effectively function as a cartel, the party must control the legislative gates. For this reason, majority parties have the potential to operate as majority cartels, controlling the legislative gates to promote their partisan agenda. Studies of legislative behavior continue to use cartel theory in the U.S. case and others (Alemán 2013, Bianco and Sened 2005, Calvo and Chasquetti 2016, Catt 2013, Chasquetti 2013, Chasquetti and Micozzi 2014, Cox and McCubbins 2007, 2005, Jones and Hwang 2005, Lebo and O'Geen 2011).

2.1.2 Theory on public approval

The study of public approval persists as an explanatory variable in legislative literature (Calvo 2007, Canes-Wrone and de Marchi 2002, Catt 2013, Cohen 2013, Krutz 2005, Lebo and O'Geen 2011). Following the theoretical argument and empirical analysis of Lebo and O'Geen (2011), the relationship between public approval and legislative success is explained by the theoretical costs and benefits for congressional parties. Several factors are at play in this relationship, starting with the effect of public approval in congressional elections. Levels of public approval of the president affect the public view of legislators and their electoral chances, particularly when the legislator is of the same party as the president. The congressional incumbents, affected by public approval, affect the likelihood of success of presidential legislation. It follows that if public approval affects electoral success and elected legislators determine presidential legislative success, then public approval affects presidential legislative success. This inter-branch relationship, between the president and the legislature, points to the electoral costs and benefits of legislators as a key to the importance of public approval in determining presidential legislative

8

success. Though often supportive of the president's legislative agenda, presidential parties' weigh the electoral costs and benefits of supporting presidential legislation under the conditions of public approval. This implies that, at times, interests of the party supersede the legislative agenda of the president, particularly when the president is unpopular. Consequently, unpopular presidents are less likely to successfully pass legislation. The logic used in this thesis is supported by the findings of Lebo and O'Geen (2011); presidential legislative success is dependent on public approval via the electoral costs and benefits for congressional parties.

2.1.3   General hypothesis

The previous section explained the theoretical argument of public approval as a key explanatory factor of presidential legislative success. The relationship between public approval and legislative success is explained by the theoretical costs and benefits for congressional parties. The executive-legislative relationship between the president and congressional parties, however, is subject to change. An important change in the congressional landscape is majority control, in which legislative majorities set and control a legislative agenda. Furthermore, members of congress delegate power to party leadership to avoid division. Legislators of the majority party reap the benefit of majority status when party leadership exercises control over the legislative agenda. Exercising control in the committee and plenary stages of the legislative process, majority party leadership is able to set an agenda favorable to the collective interest of the majority party. Another important change in the congressional landscape is the party enjoying majority control; this points to the importance of public approval in determining presidential legislative success via the electoral costs and benefits of legislators of the president's party.

Though often supportive of the president's legislative agenda, presidential parties' weigh the electoral costs and benefits of supporting presidential legislation under the conditions of public approval. This implies that, at times, interests of the party supersede the legislative agenda of the president, particularly when the president is unpopular. Consequently, unpopular presidents are less likely to successfully pass legislation when their own party controls a majority in congress.

The general hypothesis presented in this thesis applies the aforementioned theories in two main ways. First, legislative majorities set and control a legislative agenda that favors the majority party. Second, presidential parties' behavior is motivated by electoral costs and benefits. This theoretical framework leads to the following hypothesis: presidential majorities are more likely to block presidential bills when the president is unpopular.

3.0   THE ARGENTINE CASE

I explore the relationship between majority parties, public approval, and the success of the president's legislative agenda in the Argentine context. Although the study of executive-legislative relations and presidential legislative success frequently uses the U.S. case (Canes-Wrone and de Marchi 2002, Cox and McCubbins 2005, Cox and Morgenstern 2001, Den Hartog and Monroe 2011, Jones and Hwang 2005), over the last fifteen years political scientists have broadened the academic scope to include an increasing number of regional and cross-national studies (Alemán 2013). This thesis contributes to the study of executive-legislative relations and presidential legislative success using the Argentine case and seeks to model and measure the effect of public approval on presidential legislative success as conditional on presidential and opposition majorities in the bicameral legislature in Argentina. Before proceeding, however, I present a background description of the party system and the Argentine legislature.

Bicameral legislature. The Argentine Congress is a bicameral legislature; the lower house, the Chamber of Deputies, includes 257 deputies, and the upper house, the Senate, includes 72 senators. Deputies serve four-year terms, with half of the Chamber elected every two years; deputies are elected using a closed-list, proportional representation (PR) system. This has two important implications: first, in the closed-list system candidates rely on the party for nomination and second, the party receiving the most electoral votes is not guaranteed a majority

11

of seats in the Chamber. Senators serve six-year terms, with one-third of the Senate elected every two years; senators are directly elected in 24 electoral districts (23 provinces plus the federal district); the party receiving the most votes is awarded two seats and the runner-up is awarded one seat in the Senate. As of 2011, in addition to general elections, primary elections have been established and integrated in Argentina's electoral system; however, the attempt to distribute more power to the electorate and away from party leadership has not yet been fully realized. The primary elections serve as dress-rehearsals for the legislative parties and keep party leadership in control of the election process.

Political parties. Argentina is described as a multi-party system in the provincial-level and national-level legislatures. This multi-party system is especially obvious in the provincial-level politics, whereby numerous parties are represented at the provincial level and do not appear in the national congress; national-level politics includes a number of political parties, though not as many as the provincial-level. At the national-level, two parties have played central roles in Argentina's political history: the *Partido Justicialista* (PJ) and the *Unión Cívica Radical* (UCR); presently, it is not uncommon to observe coalitions—comprised of several legislative blocs—in which the coalition is anchored by either major party. Table 1 shows the composition of the Chamber of Deputies.

Table 1: Party blocs and coalitions in the Chamber of Deputies (2017)

Party/Coalition		*Party*	*Coalition*
UCR	CAMBIEMOS	36	86
Fte. Civ y Soc. Catam.		2	
Unión PRO		41	
Coalición Cívica		5	
Libertad, valores y cambio		1	
Demó Prog (Sta. Fe)		1	
FpV	FPV/Aliados	70	72
Mov. Sol Popular (T. del F)		1	
Conc Forja (Córdoba)		1	
Bloque Justicialista		17	17
Bloque Federal UNA	UNA	24	38
Bloque UNA		6	
Dignidad y Trabajo		2	
MPN		2	
Comprom. con San Juan		1	
Chubut Somos Todos		1	
Unión por Entre Ríos		1	
Diálogo y Trabajo		1	
Frente Cívico por Santiago		6	6
Peronismo para la Victoria		6	6
Del Fte. De la Concordia Misionera		3	3
Partido Socialista	FAP	4	8
Libres del Sur		3	
GEN		1	
Juntos por Arg.	Juntos por Arg.	3	4
Primero Tucumán		1	
Compromiso Federal		3	3
Frente de Izquierda y los trabajadores		3	3
Del Bicentenario		2	2
Izquierda Socialista - Frente Izquierda		1	1
Solidario SI		1	1
Brig. Gral J. Bautista Bustos		1	1
Partido Bloquista San Juan		1	1
Cultura, Educación y Trabajo		1	1
Proyecto Sur		1	1
Salta somos Todos		1	1
Avanzar San Luis		1	1
Frente Norte		1	1
Total		257	257

Both the PJ and the UCR party belong to the largest coalitions in the Chamber; these coalitions,

Cambiemos and *Frente Para la Victoria* (FpV) operate in the legislature in the interests of the

coalition. Both coalitions are also present in the Senate; Table 2 shows the party composition of

the Senate.

Table 2: Party blocs and coalitions in the Senate (2017)

Party/Coalition		*Party*	*Coalition*
FpV		38	**38**
Partido Justicialista La Pampa		2	**2**
Pares		1	**1**
Misiones		1	**1**
Frente Popular		1	**1**
Federalismo y Liberacion		1	**1**
Justicialista San Luis		2	**2**
Produccion Y Trabajo (San Juan)		1	**1**
Justicialista 8 De Octubre		1	**1**
Santa Fe Federal		1	**1**
Movimiento Popular Neuquino		2	**2**
Frente Progresista-CCAri		1	**1**
Gen		1	**1**
Proyecto Sur-Unen		1	**1**
PRO	**Cambiemos**	6	**15**
Union Civica Radical		8	
Fte. Cív. y Social de Catamarca		1	
Chubut somos todos	**UNA**	1	**3**
Movimiento Popular Fueguino		1	
Unión Por Córdoba		1	
TOTAL		**72**	**72**

These coalitions control a large proportion of seats in the national congress and generally vote

along coalition-party lines on the floor.[3]

Majority parties as legislative cartels. In order to determine the existence of a legislative

cartel, previous studies have measured roll rates—the frequency in which a sufficiently large

minority of the party sides with the opposition to defeat majority party legislation on the floor.

Party assignments—strategic control of chamber leadership and standing committees—are also

used to determine the existence of a cartel (Alemán 2013, Calvo 2014, Calvo and Chasquetti

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[3] As one Chamber consultant, who I interviewed on May 11th, 2017, suggests, a more accurate term for the party coalition is *interbloque.* Due to the fact that legislative parties, especially major parties, often operate within *interbloques* in Argentina, *interbloques* will be referred to as parties in the remainder of this thesis.

2016, Calvo and Sagarzazu 2011, Cox and McCubbins 2005, Jones and Hwang 2009, 2005, King, Orlando, and Rohde 2016).

Due to the highly-disciplined nature of the party system, majority parties have been shown to operate as effective cartels in Argentina (Calvo 2014, 2007, Calvo and Sagarzazu 2011, Calvo and Tow 2009, Jones and Hwang 2009, 2005, Saiegh 2011). Jones and Hwang (2009) address the two theories adapted from U.S. legislative studies: CPG and cartel theory. The majority party in Argentina functions as a legislative cartel, exercising agenda setting power (positive and negative). The legislative behavior is explained by the relationship between the provincial party bosses, the individual legislators, and national party leadership. Individual legislators are reliant upon the provincial party bosses for election and therefore do not maintain levels of autonomy similar to their U.S. counterparts. However, provincial party bosses exercise high levels of autonomy and often delegate this power to the party leadership in national congress in self-interest. Party leadership, majority parties in particular, exercise this delegated power as gatekeepers (Jones and Hwang 2009). The electoral rules of the Chamber result in the power of the individual legislator delegated to party leadership, whereas the electoral rules of the Senate result in the preservation of power of the individual legislator. In this thesis, I show that Senate behavior is characterized by a modified form of CPG, whereby presidential senate majorities operate as cartels by constraining their own president when the president is popular.

Cartels are parties that control the legislative agenda. On the one hand, presidential majorities prioritize the success of the presidential legislative agenda (Lebo and O'Geen 2011). It has also been observed that this relationship is not constant; disciplined parties do not unconditionally support the legislation of the president and sometimes block legislation from reaching the floor (Morgenstern and Nacif 2002). On the other hand, presidential parties do not

always have majority control of the legislature; opposition majorities operating as cartels are also granted negative agenda setting powers. Opposition parties' behavior is motivated by the preservation of the party label and the interests of the party. On May 3rd, 2017, I interviewed a consultant in the Chamber of Deputies and they provided the following example of opposition majority behavior: bill 0018-PE-16 was sponsored by President Mauricio Macri and introduced to the Chamber of Deputies on June 29th, 2016. The bill included provisions for the adoption of an electronic voting system; at the time, the Senate was controlled by the opposition, the FPV. While the bill was half-sanctioned in the Chamber of Deputies, it was shelved in the committees of the Senate. This example demonstrates how partisan control in bicameral legislatures affects presidential legislative success. It has also been observed that presidents lacking majority control of the legislature still successfully pass legislation; opposition does not unconditionally block the legislation of the president and sometimes allow legislation to pass on to the next legislative stage.

The formation of a majority cartel is an explanatory factor of legislative success, and therefore, an explanatory factor of presidential legislative success. Although the president is not in control of the cartel, they influence agenda setting in the interests of the party (Chasquetti 2013). Plurality control (when the president's party does not quite have a majority of seats), is also shown to affect legislative success; in his book, Calvo (2014) describes how the loss of majority changes the behavior of the legislative cartel, its control of the agenda, and its effect on legislative success. Based on this analysis, plurality parties functioning as cartels, exercise agenda control and allow for more legislators' bills to reach the floor in exchange for their support (Calvo 2014).

Negative agenda setting. A key component of cartel theory, and the focus of this paper, is the negative agenda setting power exercised by the majority cartel in Argentina (Calvo 2014, 2007, Jones and Hwang 2009, 2005). This negative agenda setting power is both formal and informal.[4] The formal negative agenda setting power is observed in the plenary, where bills are recorded in the database of the *Secretaría Parlamentaria* as archived or withdrawn (if not rejected).[5] The informal negative agenda setting power is observed in committee meetings. I refer to this power as 'informal' because it is not recorded by the *Secretaría Parlamentaria*; this is known as *cajonear* in the Argentine case (Anderson, Box-Steffensmeier, and Sinclair-Chapman 2003, Calvo 2014, 2007, Calvo and Sagarzazu 2011, Calvo and Tow 2009, Chasquetti 2013, Chasquetti and Micozzi 2014, Cox and McCubbins 2005, Kim and Phillips 2009, King, Orlando, and Rohde 2016, Krutz 2005, Morgenstern and Nacif 2002, Tsebelis and Alemán 2005).[6] In this thesis, I investigate the shelving of presidential bills by majorities in the Chamber of Deputies and the Senate.

While the positive agenda setting power of the party may decrease in a shift from a majority to a plurality of seats in the legislature, chamber authorities in highly-disciplined legislatures maintain negative agenda setting power (Calvo and Chasquetti 2016, Cox et al. 2011). As we will see, the negative agenda setting powers of the majority cartel (or the plurality cartel) are used throughout the legislative process, including the chamber floor—but less so. In the Argentine case, the committee is a central institution—particularly in the use of the shelving mechanism. Several works have analyzed the effect of agenda setting powers on success in

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[4] The shelving of bills in committee is not officially recorded by the *Secretaría Parlamentaria,* which only records formal decisions reached in the plenary: half-sanctioned, sanctioned, filed, withdrawn, and rejected.

[5] The *Secretaría Parlamentaria* is the administrative and coordinating institution in congress.

[6] The informal mechanism, *cajonear*, is used by the majority cartel; this study refers to this mechanism as the shelving of bills in committee.

different stages of the legislative process, as well as in different partisan environments (Calvo 2014, Calvo and Sagarzazu 2011). Addressing the first stage of the legislative process, the committee meetings, Calvo and Tow (2009) emphasize the role of the president of the committee (both in the Chamber of Deputies and the Senate) in the submission of a majority report—which is necessary to discharge a bill from committee (unless a two-thirds majority overrides the shelving of the bill). Opposition legislation, legislation unacceptable to the majority party, and divisive legislation are shelved in committee. In addition to committees, chamber authorities also exercise agenda setting power.

Public approval. Presidential legislative success decreases when the president is unpopular. Calvo (2007) addresses the effect of public approval on presidential legislative success; operating as cartels, majorities use negative agenda setting power against the president when the president is unpopular (Calvo 2007). The relationship between partisanship and public approval is generally explained as cost for the incumbent members of congress (Przeworski, Stokes, and Manin 1999). The electoral consequences of supporting an unpopular president's legislative agenda may be the loss of a future or upcoming election, especially when opposition candidates use this against the incumbent as a part of their campaign. Fear of damaging the party image and threatening the electoral chances of their members cause the majority to block the president's legislation at lower levels of visibility: in committee. This paper extends this analysis of partisanship and public approval to compare the behavior of majorities in committee of the two chambers in Argentina: the Chamber of Deputies and the Senate.

3.1   LEGISLATIVE PATHWAY

A deputy advisor who I interviewed on May 17th, 2017 described the legislative pathway as a negotiation and coordination of interests. The legislative pathway is sequential; at each stage the gatekeepers determine the success or failure of legislation. The following is a description of the shelving of presidential bills in the committee stages of the Chamber of Deputies and the Senate.

Prior to introduction in the committee(s) of the initial chamber, bills must be formally submitted to the front desk (*la mesa de entradas*) and the *Secretaría Parliamentaria*, tasked with administrative duties and coordinating logistics. The *Secretaría Parliamentaria* codes bills in numerical order, according to the sponsor of the bill (*firmante*), and the year in which the bills are introduced (i.e. 0053-S-09). Bills are referred to the appropriate committee(s)—a maximum of three—based on subject matter.[7] In a pre-committee meeting, the advisors working for the committee members gauge interest in and anticipate possible objections to the bills. It is during committee meetings that bills of interest are subject to discussion, amendment, and/or approval.

3.1.1   Initial committee(s)

Per congressional rules, the partisan composition of the committees ought to be proportionally equal to the political parties represented in each chamber; however, the common interpretation of these rules favors the majority party, whereby a share of seats greater than forty percent in the

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[7] In the Senate, the bill is initially referred to only one committee (*see article 89 of Senate rules*). Senators have a seven day period to add their comments regarding a reassignment in or an added committee to which the bill is referred. The president of the Senate then has three days in which to resolve the matter. If the matter is not resolved in the three day period, it will be put to the plenary. The period expires if the initial committee to which the bill is referred produces a report.

Chamber yields a premium in committee chairs (Calvo 2014). Also in favor of the majority party, senior members are often assigned to and elected to leadership positions in key committees. According to a Chamber deputy interviewed on May 4th, 2017, Constitutional Matters, Budget and Taxation, General Legislation, and External Affairs are considered among the most important committees. During stage one of the legislative process, the committee acts autonomously in deciding which of the referred bills merit discussion, amendment, and/or passage to the successive stage (the floor of the chamber).

During the discussion and consideration of bills in committee, those that receive a majority report—in each committee to which they are referred—are discharged and potentially included in the plenary agenda (*plan de labor*). The majority report must include the signatures of more than half of the committee members. The bill is discharged even if it receives an equal number of signatures for reports in favor of and in opposition to the bill.[8] Bills that are not discharged from committee via the majority report may be considered in the plenary with a two-thirds majority vote.[9] Bills that are not discharged from committee via a majority report or super-majority vote remain stuck in committee until the allotted time expires.[10]

Bills discharged with a majority report, prior to plenary consideration in the initial chamber, are discussed in pre-plenary party meetings and sent to an authority legislative body for coordination. The pre-plenary party meetings allow party leadership to gauge support for each respective bill and strategize accordingly. The composition of the authority legislative body differs slightly in the lower and upper chambers. In the Chamber of Deputies, the party leader of the legislative bloc with the most seats in the Chamber presides; in the Senate, the vice president

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[8] See article 105 of Senate rules.
[9] This requires the use of a special motion (*moción sobre tablas*); see article 147 of Senate rules.
[10] Expiration of bills is the end of the congressional period.

of the nation. The natural president of the Senate (the vice president of the nation) rarely votes in the daily sessions—voting only in the event of a tie (*empate*) and presides over the chamber. The provisional president, vice president, first vicepresident, second vicepresident, two secretaries and three pro-secretaries also serve the Senate.[11] In both chambers, the authority body includes the leadership of each legislative bloc. The authority body sets the plenary agenda for each session and exercises high levels of discretion in the scheduling of bills. This body meets at least once a week and upon request by one of the participating members. During these meetings, the body sets the plenary agenda for each session. Disagreements regarding the agenda are settled if only one member submits an agenda proposal to the plenary or by vote—with each bloc leader defending their proposal for a maximum of five minutes.

3.1.2   Initial chamber

If acceptable to the authority legislative body, bills move on to stage two of the legislative process: consideration in the initial chamber. Bills accompanied by a majority report—without minority reports, amendments or objections—and acceptable to the authority legislative body will be included in a bill package that requires a singular vote in the plenary at the beginning of each session. If dissent of a bill is present—though the bill was discharged with a majority report and acceptable to the authority legislative body—it must be individually considered and debated in the plenary. Bills scheduled in the plenary agenda are organized at the discretion of the authority legislative body. A simple majority vote is required for the approval of pre-plenary

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[11] This body serves the function, administration and coordination of the Senate and is replaced every year on the last day of February. The provisional president, vice president, first VP, and second VP can serve on committees.

amendments, the defeat of pre-plenary objections, and the approval of the bill. A two-thirds majority vote is required for amendments proposed during plenary debate and among the special motions used by individual legislators and legislative blocs.

3.1.3   Final committee(s)

Bills approved in the initial chamber move on to stage three in the legislative process: consideration in the committee(s) of the final chamber. Similar to the first stage, the committee acts autonomously in deciding which of the approved bills are to be discussed, amended and/or passed on to the plenary floor of the final chamber. During the discussion and consideration of bills in committee, those that receive a majority report—in each committee to which they are referred—are discharged and may be included in the plenary agenda. Members of congress are able to submit minority reports, amendments and comments/objections at this point—this includes any point prior to committee discharge, post-committee discharge and pre-plenary consideration of a bill. Bills that are not discharged from committee via majority report may be considered in the plenary with a two-thirds majority vote during the discussion of the plenary agenda or with a three-fourths majority vote after the plenary agenda has been approved. Bills that are not discharged via majority report or super-majority vote remain stuck in committee until the allotted time expires. Bills discharged with a majority report, prior to plenary consideration in the final chamber, are discussed in pre-plenary party meetings and sent to the respective authority legislative body.

3.1.4   Final chamber

Post-screening by the authority legislative body, bills move on to stage four of the legislative process: consideration in the final chamber. Bills accompanied by a majority report—without minority reports, amendments or objections—and accepted by the authority legislative body will be included in a bill package that requires a singular vote in the plenary at the beginning of each session. If dissent of a bill is present—though the bill is accepted by the authority legislative body—a bill must be individually considered and debated in the plenary. Bills scheduled in the plenary agenda are organized at the discretion of the authority legislative body. A two-thirds majority vote is required for amendments proposed during plenary debate and among the special motions used by individual legislators and legislative blocs. Amendments proposed and approved in the final chamber must then be sent back to the initial chamber for consideration.[12] A simple majority vote is required for the approval of pre-plenary amendments, the defeat of pre-plenary objections, and the sanction of bills.

3.1.5   Presidential legislative pathway

The road to enactment is a difficult one; each stage of the journey presents a challenge and consequentially, opportunities for defeat. In order to answer the questions posed in this study, it is important to summarize the legislative pathway of presidential bills.

Constitutional rules dictate in which congressional chamber presidential bills must be introduced. A senate advisor interviewed on May 15th, 2017 confirmed that bills involving taxes,

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[12]See articles 138/177 of congressional rules of the Senate.

military recruitment, common enquiry, precedents and budget must be initiated in the Chamber of Deputies; bills involving treaties and alliances must be initiated in the Senate. Notwithstanding these constitutional rules, the discretion of the executive allows for the strategic introduction of bills—the introduction of bills in the chamber in which the presidential party or coalition holds a majority, for example.[13]

As a sponsor of legislation, the president introduces bills in the same manner as members of congress; bills must be formally submitted to the front desk and the *Secretaria Parliamentaria* assigns the bill a code (i.e. 0011-PE-14). Referred to the appropriate committee(s) based on subject, the bills are discussed by the committee advisors in the pre-committee meeting. Determined to be of interest, the bills are subject to discussion, amendment, and/or approval during the committee meetings. If discharged, the bills are discussed in the pre-plenary party meetings and sent to either the Chamber of Deputies or Senate authorities for consideration in the plenary agenda. The bills reach the floor of the initial chamber via bill package or individual inclusion. If approved, the bills are referred to the appropriate committee(s) of the final chamber. Again determined to be of interest, the bills are subject to the committee meetings. If discharged, the bills are discussed in the pre-plenary party meetings. If included in the agenda and approved, the bills pass into law.

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[13] On May 15th, 2017, I interviewed the Parliamentary Assistant Secretary of the Senate; throughout the interview, they described the introduction and passage of legislation as a strategic game, in which participants measure payoffs as well as costs.

4.0   EMPIRICAL ANALYSIS

This analysis seeks to model the informal, negative agenda setting mechanism, measure the explanatory factors, and predict presidential legislative success using all of the presidential legislative bills introduced from 1983 to 2015. The sample uses the dataset built by Ernesto Calvo (2007), which includes all presidential bills introduced from 1983 to 2007, and includes my addition of all presidential bills introduced from 2008 to 2015; the sample includes 2,095 presidential bills.[14] Table 3 presents a summary of the results of all presidential bills introduced from 1983 to 2015.

Table 3: Result of presidential bills

Bill result	Frequency	Percent
Filed	3	0.14
Withdrawn	12	0.57
Rejected	3	0.14
Shelved	829	39.57
Sanctioned	1,248	59.57
Total	2,095	100.0

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[14] All bills are recorded in an online registry by the *Secretaría Parliamentaria* of Argentina.

Approximately sixty percent of all presidential bills in this sample were sanctioned; this means the bills were successfully enacted. The remaining forty percent includes presidential bills that, at some point in the legislative process, were filed and stored, withdrawn, formally rejected, or informally shelved by the Chamber of Deputies or the Senate. Recall that bills that are not formally rejected, rather are filed, withdrawn, or shelved will not expire until the end of that congressional period. Table 3 shows that the majority of bills that were not successfully sanctioned, rather than formally rejected, were shelved in committee. Within this sample, there are three cases of bills filed, three cases of bills rejected, twelve cases of bills withdrawn, and 829 cases of bills shelved in committee (this includes stage one and stage three of the legislative process). The informal mechanism used by both chambers—the shelving of bills in committee—describes a majority of the presidential bills that were not successfully enacted in the 1983 to 2015 period.

Majority cartels exercise agenda setting powers; logic follows that unified government in a highly-disciplined legislature favors the legislative agenda of the president in either chamber, whereby the presidential majority uses its power to promote the president's legislative agenda. We would expect presidential majorities to protect the president's agenda when the president's party has a majority, and opposition to defeat the president's agenda when in control.

Figure 1 presents all presidential bills in the sample shelved in the committees in the Chamber of Deputies and the Senate (stage one and stage three), as well as the bills blocked on the floor of both chambers (stage two and stage four).
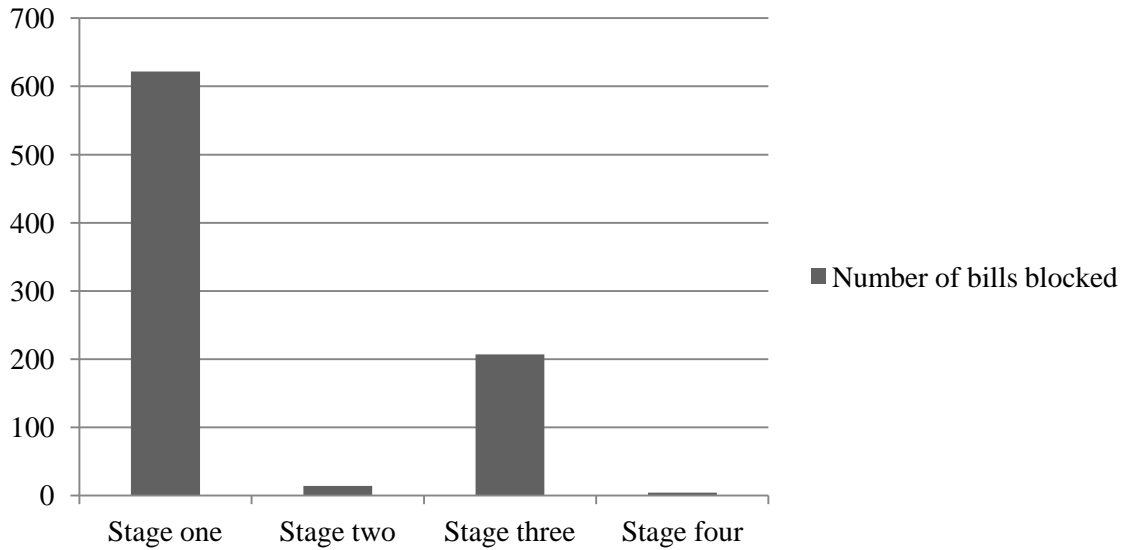
Figure 1: Number of executive-initiated bills blocked

Figure 1 shows a strange pattern: the president's bills are almost never defeated on the floor. This would be consistent with the idea of disciplined presidential majorities in the literature, except that we do see many bills shelved in committee; this requires some explanation.

The majority cartel uses agenda setting power to filter and screen bills that are not supported by the party; to paraphrase Cox and McCubbins (2005), it is difficult to pass bills disliked by the majority of the majority party. This applies to the president and has important implications for the success of the president's legislative agenda. The bill-shelving mechanism, observable in Figure 1, shows the number of presidential bills shelved in committee in the Chamber of Deputies and the Senate. Table 4 provides a description of all presidential bills shelved in committee in the Chamber of Deputies and the Senate.

Table 4: Presidential bills shelved in committee in the Chamber of Deputies and the Senate

	Shelved in committee—Stage 1 and Stage 3
Chamber of Deputies	587 (70.81%)
Senate	242 (29.19%)
Total bills shelved	829 (100.00%)

Table 4 shows that the fate of presidential bills varies by chamber; presidential bills are shelved in the committee stages in both the Chamber of Deputies and the Senate, however, the frequency of this mechanism differs by chamber. Bearing this cameral difference in mind, I use partisanship as a key explanatory factor of the success of the president's legislative agenda, specifically the interaction between partisanship and public approval.

Figure 2 shows the public approval ratings of the president during the period in which presidential bills were introduced within this sample as well as the sub-periods in which the president's party controlled a majority of seats in either chamber.
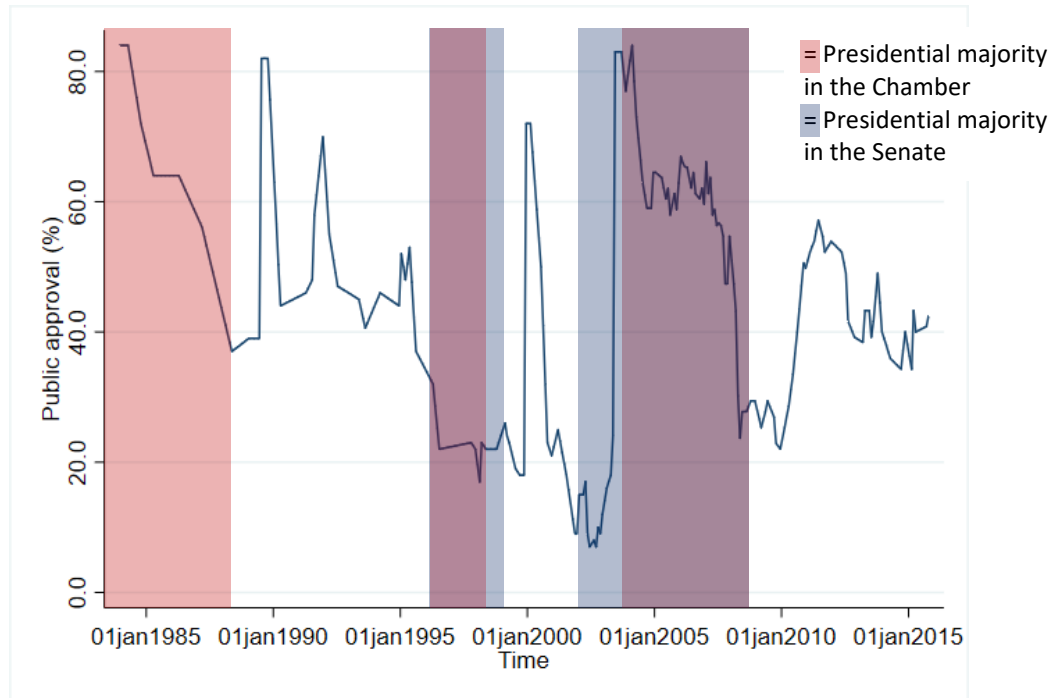
Figure 2: Public approval of the president

As shown in Figure 2, the range of public approval varies significantly in the sample period as well as the sub-periods of presidential majorities. The empirical analysis in this paper measures the effect of public approval on presidential legislative success as conditional on partisan control.

This paper has reviewed the leading theoretical arguments relevant to the success of the president's legislative agenda and argues that the effect of approval on presidential legislative success is conditional on the presence of majorities; moreover, presidential majorities can turn against the president when the president is unpopular. Argentine parties are very disciplined in the floor of the chambers; the Argentine case can be used to test the theoretical argument by examining the relationship between presidential majorities, public approval, and presidential legislative success in the committee stage of both chambers of congress.

Previous analyses of executive-legislative relationships have focused on institutional and contextual factors. The analysis of Calvo (2007, 2014) shows that institutional and contextual factors are not mutually exclusive, presenting significant effects of partisanship and public approval on committee success. In this study, I explain the directional, significant effect of public approval on presidential legislative success as conditional on the presence of presidential majorities in the Chamber of Deputies, as well as the Senate.

4.1   MEAURING LEGISLATIVE SUCCESS

Assuming the methods of measuring legislative success are just as numerous as the types of legislatures being analyzed, it is necessary—for the purposes of this study—to explain the common measures of legislative success, the various models used to measure presidential legislative success in this study, and their implications.

4.1.1   Common measures

One common measure of legislative success—and adapted in this study—is the box score (Saiegh 2011, Calvo 2014, 2007). The box score is the percentage of bills introduced by the sponsor that are approved by the legislature. Using the box score in models similar to those used by Calvo (2007, 2014), this study models presidential legislative success in the committee stages when controlled by majority and plurality cartels. Roll-call votes are a common measure of legislative success. However, this measurement was ill-fitted for the purposes of this study due to

1) the focus on the chamber floor and 2) the high levels of presidential success on the chamber floor in Argentina. Roll-call votes do not explain legislative behavior in the less-visible committees; the pre-floor stages are opportunities for the majority cartel to exercise agenda setting power. Without the informal mechanism used by the majority cartel, bills would be voted down on the floor (Krutz 2005). Party roll rates are another common measure of legislative success (Cox and McCubbins 2005). More specifically, roll rates are used to determine the frequency in which a significant majority of the ruling party and the opposition are able to enact legislation. Again, this measure misses the informal mechanism used by the majority party in committee.

Using several models, this study analyzes the effect of public approval on presidential legislative success in the committee stages of the Chamber of Deputies and the Senate as conditional on the presence of majorities. The models and measure used in this study allow for the analysis of partisan legislative behavior and support of the president's legislative agenda in committee; specifically, it demonstrates the majority cartel's informal, negative agenda setting power in both chambers.

4.1.2   Presidential legislative success

I measure presidential legislative success by recording the shelving of presidential bills in committee. In the previous section, I described the legislative pathway and two stages in which bills are shelved; this occurs in stage one and stage three of the legislative process. The majority party in both the Chamber of Deputies and the Senate has the opportunity to shelve presidential bills in committee; this can happen when the bill is introduced in the initial chamber or when the

bill reaches the final chamber. Others have measured presidential success differently, but these measures miss a very important, informal mechanism. I look at the shelving of presidential bills in committee, because this is the main way in which presidential legislation is blocked in the Argentine Congress.

4.2   MAPPING THE LEGISLATIVE PROCESS WITH DATA

The committee leaders and chamber authorities play important roles in the legislative process (Calvo 2014, Calvo and Sagarzazu 2011, Calvo and Tow 2009, Jones and Hwang 2009, 2005); the majority party plays an important role in the success (or failure) of the president's legislative agenda. In the committee stage of the legislative process, leadership has the power to select bills to be considered; a bill that does not receive a majority report requires a two-thirds majority vote to be discharged. Congressional rules also stipulate that the authority legislative body has the power to set the plenary agenda. The institutional mechanisms favor the majority; the ability to shelve legislation aids the partisan agenda.

The following section empirically tests informal, negative agenda setting power; specifically, the effect of public approval on presidential legislative success in committee in both chambers as conditional on the presence of majority parties.

4.3   VARIABLES

This analysis seeks to model the informal, negative agenda setting mechanism, measure the explanatory factors, and predict presidential legislative success. The following sections describe the dependent and explanatory variables used in this study, as well as alternative explanations of presidential legislative success.

4.3.1   Dependent variables

This study focuses on the informal, negative agenda setting mechanism used by both chambers to shelve presidential bills; the failure of the president's legislative agenda is conceptualized as the shelving of bills in the committee stage.

In total, there are four successive stages in the legislative process. Stage one (the committee(s) of the initial chamber), stage two (the plenary of the initial chamber), stage three (the committee(s) of the final chamber), and stage four (the plenary of the final chamber). As shown in Figure 1, the majority of presidential bills are shelved informally in the committee stages—stage one and stage three. Of the 2,095 presidential bills recorded in the sample, 622 bills are shelved in stage one, 14 bills are blocked in stage two, 207 bills are shelved in stage three, and only 4 bills are blocked in stage four of the legislative process. The number of bills shelved in committee by both chambers is particularly interesting and the focus of this analysis.

In order to analyze this informal mechanism empirically, a dummy variable must be created. I create two dichotomous variables to capture whether bills are shelved by committees in the Chamber of Deputies or the Senate. The dependent variable for bills shelved in the Chamber

captures bills initiated in the Chamber that were shelved in stage one, as well as bills initiated in the Senate that were shelved in stage three. The dependent variable for bills shelved in the Senate captures bills initiated in the Senate that were shelved in stage one, as well as bills initiated in the Chamber that were shelved in stage three.[15] These dependent variables capture presidential bills shelved by the committee of both chambers.

4.3.2   Explanatory variables

The explanatory factors in this analysis include partisan control and public approval. In this analysis, majority control is measured two ways: 1) majority control in the Chamber of Deputies, and 2) majority control in the Senate; the two dichotomous measures are used to predict presidential legislative success in both chambers. Previous literature also shows that plurality control of congress is relevant in the Argentine case (Calvo, 2014). Included in this analysis are alternative measures capturing plurality-led congresses (any number of seats above a plurality and including a majority): 1) plurality control in the Chamber of Deputies, and 2) plurality control in the Senate. Public approval is recorded as a monthly percentage of public approval of the president; the data is measured at the time in which the bills are introduced and retrieved from IPSOS, Mora and Araujo, and Edgardo Catterberg.

The use of interactions is central to my model; both public approval and majority control are used to explain presidential legislative success but the interaction captures the effect of approval on presidential legislative success as conditional on the presence of presidential

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[15] If the bill was neither approved nor rejected in the plenary and was not half-sanctioned, the bill was shelved in the first stage. If the bill was neither approved nor rejected in the plenary but was half-sanctioned, the bill was shelved in the third stage.

majorities. The expectation is a negative approval coefficient, indicating that the opposition

majority is less likely to exercise agenda control when the president is popular. If the coefficient

for the interaction is positive, it means that responsiveness to approval is reduced when the

president's party is in control. If the interaction coefficient is negative, it means that the

president's party is more sensitive to approval than the opposition.

4.3.3 Alternative explanations of presidential legislative success

We have already seen that presidential bills are filtered in each successive stage of the

legislative process, more specifically, we see that presidential bills are shelved in the committee

stages of both chambers; we also see that public approval is variable over time. These

observations lead to the following hypothesis: presidential bills are more likely to be shelved by

the president's party when the president is unpopular. Before empirically testing this

relationship, it is important to address other possible explanations of presidential legislative

success presented in earlier literature. The following conditions have been used to explain

presidential legislative success in Argentina: PJ presidency, issue salience, bypassing the

committee stage, economic crises, the honeymoon period, and bills initiated in the Senate.[16]

Issue salience and issue areas. One alternative explanation for presidential legislative

success is issue saliency (Anderson, Box-Steffensmeier, and Sinclair-Chapman 2003, Bianco and

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[16] The number of committees, the use of pork, and ideological cohesion are also presented as possible explanatory factors for presidential legislative success (Calvo, 2014, Saiegh 2011). Unfortunately, in the sample information on the number of committee referrals is incomplete. At least 964 cases of the 2,095 bills are missing data. In his article, Calvo (2007) measures the use of pork; it is not shown to have a significant effect. Ideological cohesion has been used to explain the executive-legislative relationship (Alemán 2013, Anderson 2003, Calvo 2014, Cox 2001, Morgenstern 2002, Saiegh 2011). However, as Saiegh (2011) notes in his findings, the measure of ideological cohesion has no statistically significant effect on presidential legislative success when the party controls a majority of seats.

Sened 2005, Canes-Wrone and de Marchi 2002, Cox and McCubbins 2005, Krehbiel 1999, Krutz 2005, Lebo and O'Geen 2011); it is important to control for its effect on presidential legislative success. A presidential bill with high public saliency raises the cost of rejecting or blocking this piece of legislation; put conversely, the passage of publicly salient bills is future insurance for reelection. Presidents with a highly salient legislative agenda would be expected to achieve high levels of legislative success. In addition, bills addressing technical issues rather than social issues provide an environment in which it is less costly to exercise agenda control (Calvo 2014, Cox and McCubbins 2005, Krehbiel 1999). Krutz (2005) discusses the majority control over issue areas and the effect on legislative success. The majority party is thought to focus on issue areas that have a higher salience, and in doing so, exercise greater agenda setting power within these areas (Krutz 2005). Another related explanation is the technical complexity of the bill; because they are less polarizing, regulatory issues rather than social issues increase the success of the president's legislative agenda (Canes-Wrone and de Marchi 2002). Key committee referral is a dichotomous variable coded as 1 if the presidential bill is introduced in any of the following committees: *Asuntos Constitucionales*, *Presupuesto y Hacienda*, *Legislacion General*, or *Relaciones Exteriores y Culto*. While newspaper coverage and hearings are two ways to describe the kinds of bills that succeed and fail, in this study, key committee referral is proxy for visibility and salience.[17] This accounts for over sixty-seven percent of all presidential bills in the sample. A journalist for the Congressional Press, who I interviewed on May 26th, 2017, confirmed the role of visibility and the electoral effect on the success within committee and plenary debate.

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[17] Variables for newspaper reference and hearings were beyond the scope of this dataset; committee referral serves as a proxy.

Initiated in the Senate. As observed in Table 1, presidents introduce their legislation in the Senate with greater success than in the Chamber of Deputies. During my interview with a member of the *Coalición Cívica*, they explained when comparing the Senate to the Chamber of Deputies, the Senate is less complex: it has fewer members, is less public than the Chamber, and is influenced by the governors of the provinces. Almost half of the bills in the sample are initiated in the Senate and is a dichotomous variable coded as 1 if true, and 0 otherwise.

PJ presidency. The success of Peronist presidents is important to consider; of all presidential bills introduced from 1983 to 2015, the PJ party has controlled a majority of seats (greater than fifty percent) in congress approximately seventy percent of the time and continues to dominate control of the Senate.[18] PJ presidency is a dichotomous variable coded as 1 if the president is of the PJ party.

Bypassing committee. The use of the special motion, *moción sobre tablas*, allows legislators to vote to bypass the committee stage and the Chamber Directorate, reducing the number of opportunities to block legislation. The operationalized definition of bypassing the committee stage is a dichotomous variable coded as 1 if *moción sobre tablas* is used in order to consider a bill on the floor; twenty percent of presidential bills in the sample received this special motion. This measure is included because bills receiving this special motion, though they successfully pass the committee gates, are not passed by the committee; the behavior of the committee is the focus of this thesis.

Timing. Presidential legislative success may be explained by the period in which a bill is introduced; timing is an important factor (Anderson, Box-Steffensmeier, and Sinclair-Chapman

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[18] The PJ party has secured at least a plurality of seats in the Senate since 1983.

2003, Morgenstern and Nacif 2002, Saiegh 2011). The honeymoon period is used by opportunist presidents during their first term to pursue their legislative agenda; viewing the election of the president as a public mandate, members of congress vote on the president's agenda without much opposition (Canes-Wrone and de Marchi 2002, Catt 2013, Cohen 2013, Figueiredo, Salles, and Vieira 2009).[19] The honeymoon period—the first congress of the newly elected president— is a dichotomous variable coded as 1 if bills are introduced during the president's first congress. Approximately sixteen percent of all bills in the sample are introduced during the honeymoon period.

Economic crises. The legislative consultant interviewed on May 3rd, 2017 confirmed the ease of passing legislation in times of economic emergencies. Presidential legislative success may be affected by exceptional circumstances—economic crises (Chasquetti and Micozzi 2014, Morgenstern and Nacif 2002); whereby presidents, in a moment of crisis, are granted more congressional support and expedited passage of legislation. The operational definition of economic crisis in this study is the rate of unemployment; the annual unemployment rate is a continuous variable and serves as a proxy of exceptional circumstances, specifically, economic crises.[20]

Controlling for these alternative explanatory factors of presidential legislative success will provide a clear analysis of the conditions in which presidential majorities are harmful to the president's legislative agenda. The empirical analysis of these conditions begins in the following section.

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[19] Conversely, the lame-duck period, during a president's final term in office, has not shown significant effect on the president's legislative agenda (Catt 2013).
[20] Unemployment data retrieved from the World Bank.

5.0   RESULTS

Several logit models are used to test my hypothesis and their specifications vary based on chamber and measures of majority and plurality control. In Model 5.1, the dependent variable is bills shelved in the Chamber of Deputies and the independent variables include majority control in the Chamber of Deputies and public approval, plus controls. In Model 5.2, the dependent variable is bills shelved in the Senate and the independent variables include majority control in the Senate and public approval, plus controls. In Model 5.3, the dependent variable is bills shelved in the Chamber of Deputies and the independent variables include plurality control in the Chamber of Deputies and public approval. In Model 5.4, the dependent variable is bills shelved in the Senate and the independent variables include plurality control in the Senate and public approval. The results are shown in Table 5.

Table 5: Modeling presidential legislative success

	Model 5.1 Majority/ Chamber	**Model 5.2** Majority/ Senate	**Model 5.3** Plurality/ Chamber	**Model 5.4** Plurality/ Senate
Public approval	-0.02**	-0.01	-0.02***	0.02
	(0.01)	(0.01)	(0.00)	(0.01)
Majority in the Chamber	0.64+			
	(0.33)			
Majority in the Senate		0.39		
		(0.43)		
Majority in the Chamber# Public approval	-0.01			
	(0.01)			
Majority in the Senate # Public approval		0.03**		
		(0.01)		
Plurality in the Chamber			NA	
			(.)	
Plurality in the Senate				0.28
				(0.96)
Plurality in the Chamber # Public approval			NA	
			(.)	
Plurality in the Senate # Public approval				-0.01
				(0.01)
Bypassing committee	-2.96***	-1.60***	-2.97***	-1.43***
	(0.26)	(0.28)	(0.26)	(0.27)
Honeymoon period	0.46*	0.49+	0.38+	-0.00
	(0.21)	(0.26)	(0.20)	(0.25)
Unemployment rate	0.03+	-0.09***	0.04*	0.01
	(0.02)	(0.03)	(0.02)	(0.02)
PJ Presidency	0.49**	-0.54*	0.50***	0.19
	(0.16)	(0.22)	(0.14)	(0.29)
Key committee referral	-0.34**	-0.76***	-0.35**	-0.71***
	(0.13)	(0.16)	(0.13)	(0.16)
Initiated in the Senate	-2.29***	0.84***	-2.30***	0.89***
	(0.13)	(0.16)	(0.13)	(0.16)
Constant	0.40	-0.58	0.42	-3.10***
	(0.35)	(0.64)	(0.35)	(0.91)
N	2093	2093	2093	2093

+ p<0.1, * p<0.05, ** p<0.01, *** p<0.001
NA: In this period, the presidential party always controls at least a plurality of seats in the Chamber of Deputies.

Modeling bills shelved by chamber. Model 5.1 estimates the probability that a bill is shelved in the Chamber of Deputies. The results show that public approval has a negative, statistically significant effect (-0.02 p<0.01) on presidential bills shelved in the Chamber of Deputies when the opposition controls a majority; as public approval increases, the likelihood of bills being shelved in committee decreases. Although the coefficient for the interaction in the table (-0.01) is insignificant, the marginal effect is negative and statistically significant (-0.03 p<0.001). An increase in public approval decreases the likelihood that a bill is shelved in the Chamber of Deputies when the president's party controls a majority. The results of Model 5.1 are interesting for two reasons: first, majority parties in the Chamber of Deputies exercise negative agenda setting power to shelve presidential bills when the president is unpopular and second, the interaction between presidential majority control and public approval is not statistically significant, which means presidential majorities are no less likely to shelve presidential bills than the opposition.

Using the plurality measure, Model 5.3 estimates the probability that a bill is shelved in the Chamber of Deputies. Because the presidential party always controls at least a plurality of seats within this sample, neither the plurality variable nor the interaction are included. The results are comparable to Model 5.1, in that public approval has a negative, statistically significant effect (-0.02 p<0.001) on presidential bills shelved in the Chamber of Deputies; as public approval increases, the likelihood of bills being shelved in committee decreases. The effect of approval is negative and statistically significant (-0.02 p<0.001); presidential pluralities in the Chamber of Deputies are likely to shelve presidential bills when the president is unpopular.

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Turning to the Senate, the results in Model 5.2 and Model 5.4 show that public approval has no statistically significant effects on presidential bills shelved when the opposition controls the Senate; this is true in the majority and plurality controlled Senate. The lack of statistical significance challenges the proposed hypothesis and indeed, the opposition in the Senate is not responsive to public approval. An unexpected result of Model 5.2 is that the coefficient for the interaction is positive and statistically significant (0.03 p<0.01), this means that the marginal effect of approval when the president's party controls the Senate is positive (0.01 p<.05).

Some other mentionable results; PJ presidencies reduce the likelihood that their bills are shelved in the Senate but have the opposite effect in the Chamber of Deputies. Presidential bills introduced in the key committees reduce the likelihood that they are shelved in both chambers. It is interesting to observe that presidential bills initiated in the Senate are less likely to be shelved in the Chamber of Deputies but not so in the Senate; this effect suggests the role of the initial chamber as different from the final chamber, whereby the initial chamber serves as the primary gatekeeper. Referring to Model 5.2 in the table, the unemployment rate has a negative, statistically significant effect (-0.09 p<0.001) on presidential legislative success in the Senate; in times of economic crisis, the Senate is less likely to shelve presidential legislation.

The results show the initial hypothesis needs amending; that presidential bills are more likely to be shelved in the Chamber of Deputies when the president is unpopular; however, when modeling behavior in the Senate, the relationship is less clear. Interestingly, the interaction between public approval and majority control has a positive, statistically significant effect on the bills shelved in the Senate when the largest party controls a majority of seats; bills are more likely to be shelved by the presidential majority in committee when the president is popular in the Senate

This is a most curious finding in the analysis: the Chamber of Deputies behaves like a cartel, exercising negative agenda setting power in the interest of the party, and in addition, the presidential majority party is no less likely to shelve presidential bills in committee than the opposition. However, the legislative behavior of presidential majorities in the Senate is less clear, if not contrary. The following sections explore the bicameral, behavioral differences in greater detail.

5.1.1   Presidential bills shelved in the Chamber of Deputies

Figure 3 presents the predicted probability that a bill will be shelved in committee in the Chamber of Deputies, at different levels of public approval, when the Chamber is controlled by an opposition majority and when it is controlled by the president's party. The estimates are based on Model 5.1 of Table 5. For the purpose of this simulation, all control variables were held at their observed values and approval and majorities were altered to simulate the different scenarios.
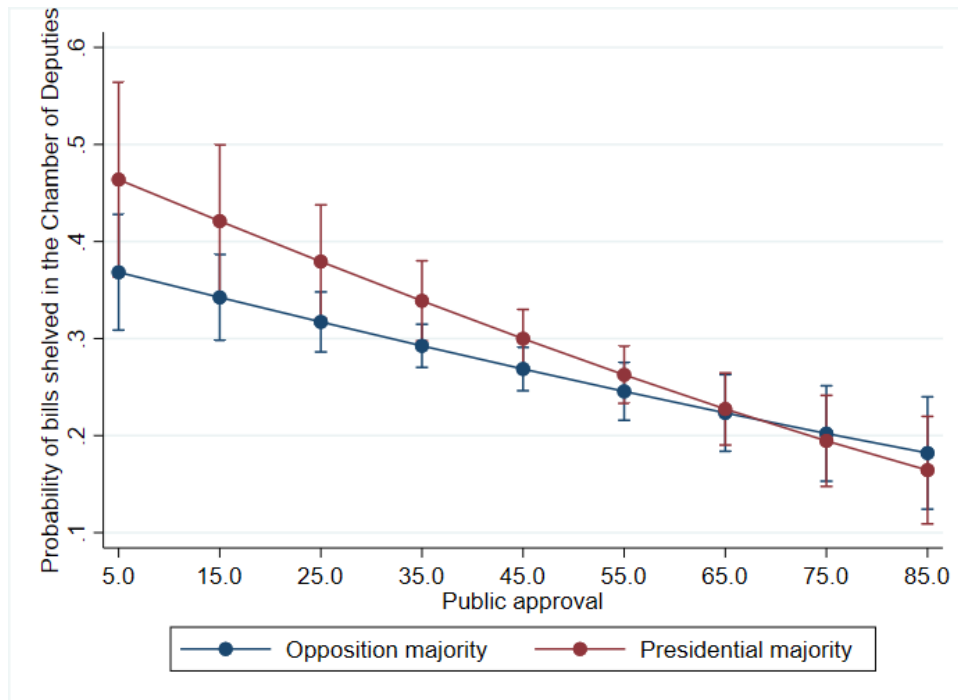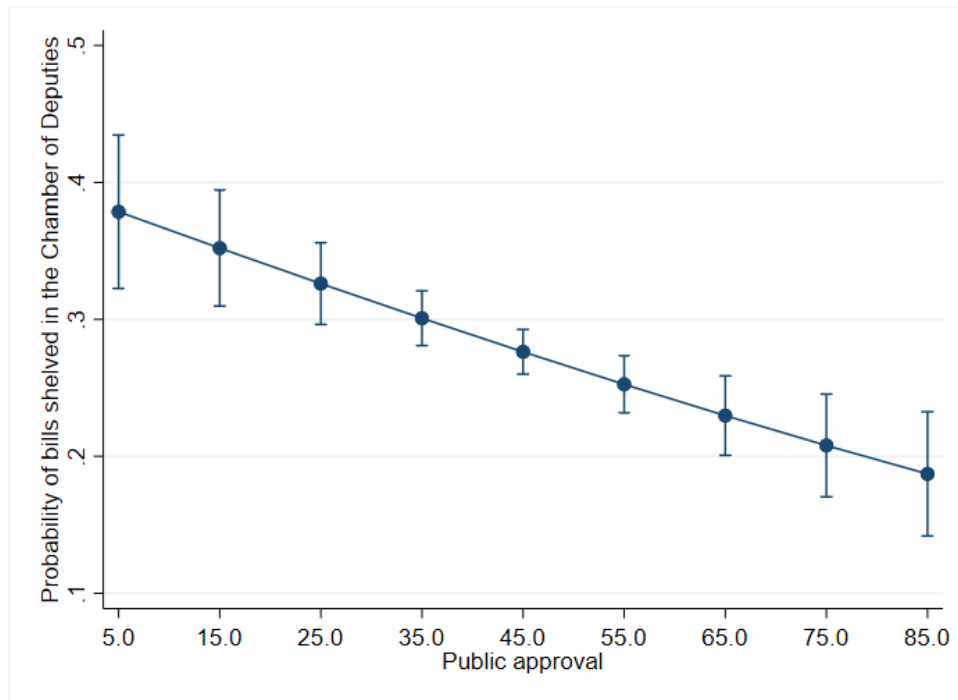
Figure 3: Model 5.1, presidential bills shelved in the Chamber of Deputies

Figure 3 shows that the president's legislative agenda is more likely to fail when the president is unpopular; this is true for presidential majorities as well as opposition. Referring to Figure 3, presidential majorities are no less likely to constrain their own president than the opposition; with 95% confidence intervals, the predicted probability that a presidential bill is shelved in the Chamber of Deputies when the president is unpopular is 34 percent when the opposition controls a majority of seats and 42 percent when president's party controls a majority. Both presidential majorities and opposition majorities are likely to shelve presidential bills in the committee stage when the president is unpopular. Majority parties in highly-disciplined legislatures vote homogeneously to promote the legislative agenda of the party and operate as cartels by setting and controlling a legislative agenda that is favorable to the party. Members of congress of the majority party reap benefits when party leadership exercises legislative agenda control; the assumption that greater control over the legislative process increases the likelihood

of success as well as reelection. The informal, negative agenda setting mechanism is used by majorities in the Chamber of Deputies to protect the party label when the president is unpopular; low public approval increases the likelihood that majorities, regardless of partisan affiliation, shelve presidential bills.

Figure 4 presents the predicted probability that a bill will be shelved by committees in the Chamber of Deputies, at different levels of public approval, when the Chamber is controlled by the president's plurality; in the 1983 to 2015 period, the president always controls at least a plurality of seats. The estimates are based on Model 5.3 of Table 5. For the purpose of this simulation, all control variables were held at their observed values and approval and majorities were altered to simulate the different scenarios.
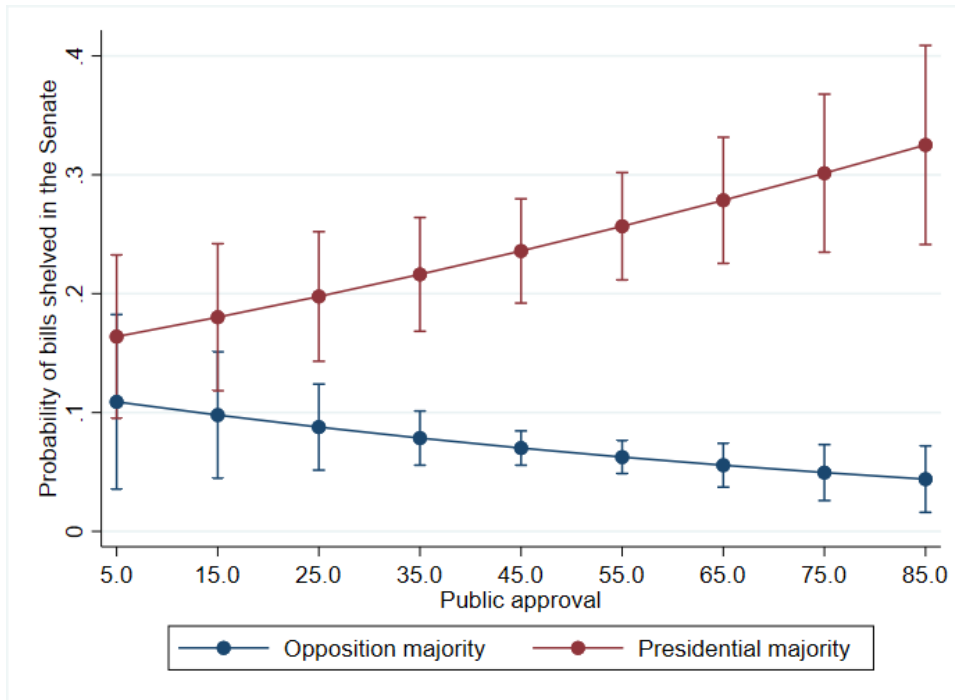

Figure 4: Model 5.3, presidential bills shelved by plurality-led congresses in the Chamber of Deputies

Figure 4 shows that the president's legislative agenda is more likely to fail when the president is unpopular; because the president always controls at least a plurality of seats in the

Chamber of Deputies, this is only observable for the president's party. With 95% confidence, the predicted probability that a presidential bill is shelved in the Chamber of Deputies when the president is popular is 35 percent but falls to 20 percent as public approval increases. Presidential pluralities are likely to shelve presidential bills in the committee stage when the president is unpopular in the Chamber.

5.1.2 Presidential bills shelved in the Senate

Figure 5 presents the predicted probability that a bill will be shelved by committees in the Senate, at different levels of presidential approval, when the Senate is controlled by an opposition majority and when it is controlled by the president's party. The estimates are based on Model 5.2 of Table 5. For the purpose of this simulation, all control variables were held at their observed values and approval and majorities were altered to simulate the different scenarios.

Figure 5: Model 5.2, presidential bills shelved in the Senate

Figure 5 shows that the president's legislative agenda is more likely to fail when the president is popular when the president's party controls a majority of seats. Referring to Figure 5, presidential majorities are increasingly likely to shelve presidential bills in the committee stage when the president is popular in the Senate. With 95% confidence, the predicted probability that a presidential bill is shelved by the presidential majority in the Senate when the president is unpopular is 20 percent but rises to 30 percent when public approval increases. The president's legislative agenda in the Senate is more likely to fail when the president is popular. Presidential majorities are more likely to constrain their own president against public opinion wishes; this is seemingly counterintuitive.

Figure 6 presents the predicted probability that a bill will be shelved by committees in the Senate, at different levels of presidential approval, when the Senate is controlled by an

opposition plurality and when it is controlled by the president's plurality. The estimates are based on Model 5.4 of Table 5. For the purpose of this simulation, all control variables were held at their observed values and approval and majorities were altered to simulate the different scenarios.
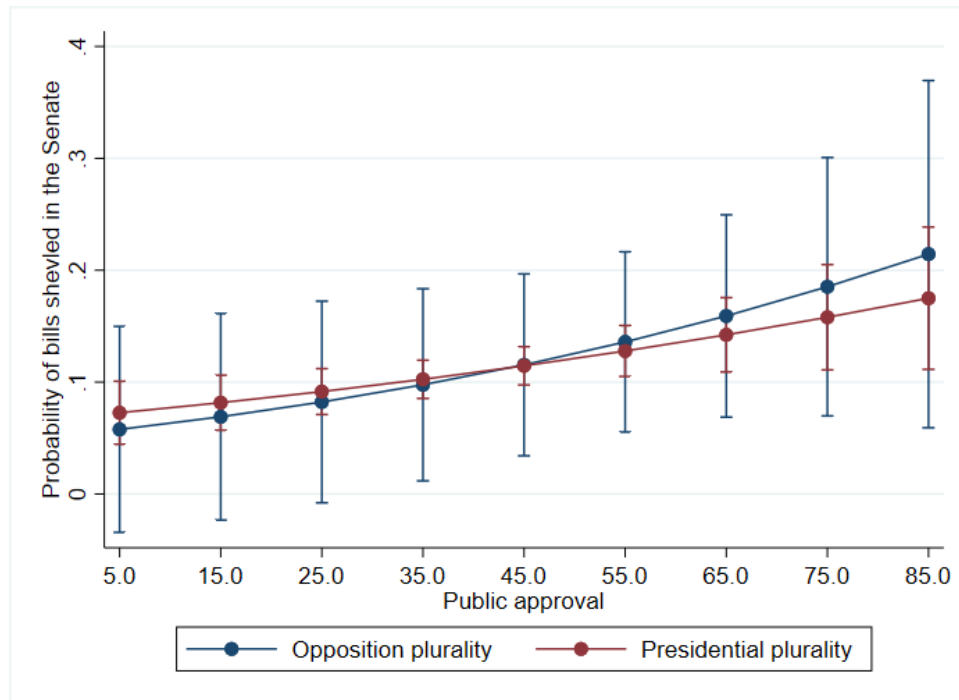

Figure 6: Model 5.4, presidential bills shelved by plurality-led congresses in the Senate

The effect of public approval on presidential legislative success when controlled by opposition pluralities, as well as the interaction effect of approval on presidential legislative success when controlled by the presidential plurality, is not statistically significant.

5.1.3 Explaining behavior in the Senate

In the Senate, it appears that senate majorities of the same party as the president respond to public approval in an unexpected way. Conditional party government and cartel theory tell us that majority parties exercise agenda setting power to protect the parties' interests and preserve

the party label; the willingness of members of congress to delegate authority to party leadership is the incumbent members' hope of reelection. In the Argentine case, it would appear that legislative behavior differs between chambers. The unexpected results presented in the previous section, specifically the behavior of presidential majorities in the Senate, require more attention. This section provides a discussion and possible explanations of presidential majority behavior in the Senate.

It may be that the sequence of the legislative process explains behavior in the Senate. Generally speaking, literature on bicameral legislatures refers to either body as the upper or lower chamber. In the legislative process, bills are commonly introduced in the lower chamber and proceed to the upper chamber of the legislature. If a majority of bills begin in the Chamber, the bills that reach committee in the Senate have already been approved by the House; in this context, we might expect that the Senate's behavior would be different from the Chamber and may explain why the Senate responds to public approval differently from the Chamber. Another possible explanation of senate behavior is the specific president. It may be that a particular president experienced high-levels of opposition within their party in the Senate. Should the presidential party constantly be at odds with their president, fragmentation within the party might occur. This party fragmentation might result in the unexpected behavior of the presidential majority in the Senate during a specific presidency. Finally, the behavior of presidential majorities in the Senate may be explained by the strong electoral connection senators maintain in their provinces and therefore delegate less power to the party label. Because senators are directly elected, they do not need to rely on local party bosses or party leadership for election; the election incentive to support the legislation of the president does not exist in the Senate, relative to the Chamber.

Sequence. Within this sample, approximately 51 percent of the presidential bills were introduced in the Chamber and approximately 49 percent of the bills were introduced in the Senate. This shows that the sequence is not dominated by introduction of bills in the lower chamber, the Chamber of Deputies. In order to contest the sequence theory, I run two models. In Model 6.1 the dependent variable is bills introduced and shelved in the Chamber of Deputies and the independent variables include majority control in the Chamber of Deputies and public approval, plus controls. In Model 6.2 the dependent variable is bills introduced and shelved in the Senate and the independent variables include majority control in the Senate and public approval, plus controls. Because the focus is legislative behavior only in stage 1 of either chamber, the number of observations is reduced; however, the reduced number of observations allows us to filter out the result of bills as explained by the sequence. The results are shown in Table 6.

Table 6: Modeling presidential legislative success in the initial chamber

	Model 6.1 Chamber of Deputies	Model 6.2 Senate	Model 6.3 Senate/Presidencies
Public approval	-0.02**	-0.03	-0.00
	(0.01)	(0.02)	(0.01)
Majority in the Chamber	2.66***		
	(0.55)		
Majority in the Senate		0.65	2.11***
		(0.79)	(0.58)
Majority in the Chamber # Public approval	-0.04***		
	(0.01)		
Majority in the Senate # Public approval		0.03*	-0.05*
		(0.02)	(0.02)
Bypassing committee	-4.41***	-2.26***	-1.72***
	(0.47)	(0.45)	(0.29)
Honeymoon period	0.81**	0.38	0.56*
	(0.28)	(0.38)	(0.28)
Unemployment rate	0.02	-0.14***	-0.13***
	(0.02)	(0.04)	(0.04)
PJ Presidency	0.36+	-0.24	-2.07***
	(0.20)	(0.35)	(0.61)
Key committee referral	0.05	-1.81***	-0.95***
	(0.15)	(0.23)	(0.17)
Initiated in the Senate	0.00	0.00	0.75***
	(.)	(.)	(0.16)
Alfonsin			-1.31**
			(0.50)
Menem			0.82+
			(0.49)
Duhalde			1.29**
			(0.46)
Kirchner			3.84***
			(1.06)
Fernandez de Kirchner			0.65
			(0.71)
Constant	0.48	1.47	0.30
	(0.44)	(1.01)	(0.82)
N	1069	1024	2093

+ p<0.1, * p<0.05, ** p<0.01, *** p<0.001

The results in Table 6 show that the Senate's behavior is not explained by the fact that

most bills begin in the Chamber of Deputies; we might expect due to this sequence (in which

bills sent to the Senate have already been approved by the Chamber) that the Senate responds to public approval differently from the Chamber. However, using the models in which presidential bills are introduced and shelved in the initial chamber, we can observe that Senate behavior is similar when it is the initial as well as the final chamber in the legislative process.

Figure 7 presents the predicted probability that a bill is introduced and shelved in committee in the Chamber of Deputies, at different levels of public approval, when the Chamber is controlled by an opposition majority and when it is controlled by the president's party. The estimates are based on Model 6.1 of Table 6. For the purpose of this simulation, all control variables were held at their observed values and approval and majorities were altered to simulate the different scenarios.
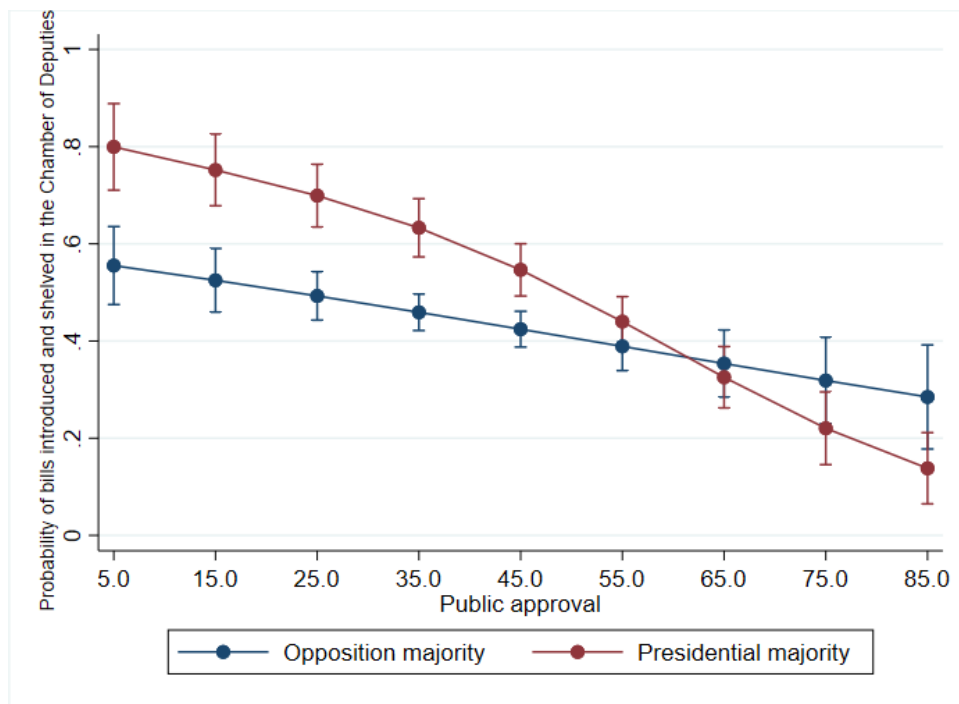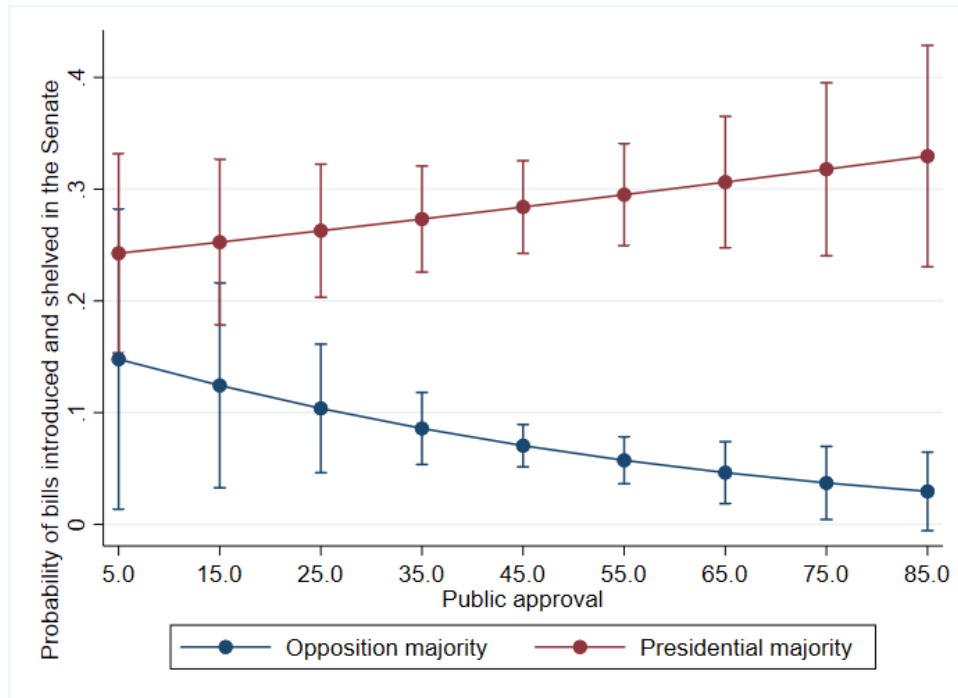

Figure 7: Model 6.1, presidential bills introduced and shelved in the Chamber of Deputies

Figure 7 shows that the president's legislative agenda is more likely to fail when the president is unpopular;[21] this is true for presidential majorities as well as opposition. Referring to Figure 7, presidential majorities are no less likely to constrain their own president than the opposition; with 95% confidence intervals, the predicted probability that a presidential bill is shelved in the Chamber of Deputies when the president is unpopular is 52 percent when the opposition controls a majority of seats and 75 percent when president's party controls a majority. Both presidential majorities and opposition majorities are likely to shelve presidential bills introduced in the Chamber of Deputies in stage one when the president is unpopular.

Figure 8 presents the predicted probability that a bill is introduced and shelved in committee in the Senate, at different levels of presidential approval, when the Senate is controlled by an opposition majority and when it is controlled by the president's party. The estimates are based on Model 6.2 of Table 6. For the purpose of this simulation, all control variables were held at their observed values and approval and majorities were altered to simulate the different scenarios.

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[21] In this section, 'unpopular' is 15% public approval.

Figure 8: Model 6.2, presidential bills introduced and shelved in the Senate

Figure 8 shows that the president's legislative agenda is more likely to fail when the president is popular when the president's party controls a majority of seats.[22] Referring to Figure 8, presidential majorities are increasingly likely to shelve presidential bills in the committee stage when the president is popular in the Senate; with 95% confidence, the predicted probability that a presidential bill is shelved by the presidential majority in the Senate when the president is unpopular is 25 percent; when popular, 32 percent. Presidential majorities are likely to shelve presidential bills introduced in the Senate in stage one when the president is popular; presidential majorities are more likely to constrain their own president against public opinion wishes.

Presidency. The following table compares presidencies since 1983 and presidential legislative success within the sample.

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[22] In this section, 'popular' is 75% public approval.

Table 7: Failed passage by presidency

Presidency	Bills shelved	Bills introduced	Failed passage (%)
Alfonsín	143	386	37
Menem	379	990	38
Duhalde	79	136	58
Kirchner	133	288	46
Fernandez de Kirchner	18	112	16

Table 7 has some interesting implications. While Alfonsín never had majority control in the Senate, Nestor Kirchner always had majority control in the Senate. The other presidencies observed majority control in the Senate throughout their terms, although not their entire presidency. Based on Table 7, the cases of shelved bills when the president's party has majority control of the Senate is not attributed to one presidency specifically and does not explain the increased likelihood that presidential bills are shelved in the Senate when the president has a majority. I run a model that controls for the specific presidencies in the period in which presidential bills are introduced in the sample. Model 6.3 of Table 6 shows the behavior of presidential majorities in the Senate under individual presidents. Although the unexpected behavior of presidential majorities in the Senate is not attributed to only one president, it is interesting to note that the unexpected behavior is only observable during the presidential terms of Duhalde and Kirchner.

Institutional differences. In 2001, the electoral rules for the Senate changed; senators are now directly elected for office. The counterintuitive behavior of presidential majorities in the Senate may be explained by the strong electoral connection senators maintain in their provinces

and therefore delegate less power to the party label; the strong provincial link allows senators to operate as individualists—unlike the deputies in the Chamber, who rely on the provincial party bosses for election. Previous literature shows that partisan behavior differs across chambers, whereby the upper chamber is not partisan in relative terms. In the Argentine Senate, it appears that senate majorities of the same party as the president are more likely to shelve presidential legislation as public approval rises. The unexpected results show that presidential majorities in the Senate are more likely to constrain their own president when the president is popular and suggest that indeed, partisan behavior differs in the Senate and may be explained by more individualist senators that do not delegate authority to the party. CPG theory, as it applies to the Argentine case, must be modified in order to describe the Senate. Senators exercise high levels of autonomy and, majority parties in particular, exercise this power as gatekeepers of presidential bills when the president is popular.

6.0   CONCLUSIONS

Modeling the committee stage of the legislative process and measuring presidential legislative success within each chamber as a consequence of majority status and public approval answers when and why presidential majorities matter in highly disciplined legislatures. In the Argentine case, presidential majorities in the Chamber of Deputies constrain their president as much as the opposition; in the Senate, presidential majorities constrain their popular president. The interaction effect of contextual and institutional factors shows that the effect of public approval on presidential legislative success is conditional on the presence of presidential majorities in the Senate.

This study contributes to the theoretical framework describing the cartel model and previous work regarding the relationship between partisanship and public approval in highly-disciplined legislatures. The analysis presented in this paper supports the previous literature explaining cartelized legislative behavior in the lower house of congress as well as the literature suggesting legislative behavior differs across chambers in bicameral legislatures. On one hand, majority cartels are likely to block legislation from passing the legislative gates when the president is unpopular in the lower house; on the other hand, presidential majorities' responsiveness to public approval may be reduced in the upper house. This paper supports that negative agenda setting is a key strategy used in the committee stage of the legislative process.

The results show that in the Chamber of Deputies the likelihood that a bill is shelved in committee depends on public approval when the chamber is controlled by the opposition and the president's party; presidential majorities in the Chamber of Deputies are no less likely than the opposition to shelve bills when the president is unpopular. In the Senate, the interaction effect of public approval and majority control shows a positive and statistically significant relationship; whereby presidential majorities are more likely to constrain their own president against public opinion wishes.

6.1   NORMATIVE IMPLICATIONS

As Saiegh (2011) suggests in his book, government stability and effectiveness is optimized by a partially successful, presidential legislative agenda. The possibility of failure of the president's legislative agenda keeps the president accountable and responsive to the legislature. In a highly-disciplined legislative environment, the presidential majority that constrains their president is an important check to executive authority. This paper shows that the failure of presidential bills is part of the institution; indicative of an effective legislative institution and a negotiation in executive-legislative relationship.

6.2   FUTURE RESEARCH

An enormous piece of this puzzle remains: presidential majorities in the Senate are more likely to shelve presidential bills when their president is popular. Conditional party government and cartel theory tell us that majority parties exercise agenda setting power to protect the parties' interests and preserve the party label; the willingness of members of congress to delegate authority to party leadership is the incumbent members' obligation to the provincial party boss. In the Argentine case, the delegation of authority is not so much from members of congress to party leadership as provincial party bosses to party leaders.

The unexpected results suggest that partisan behavior differs in the Senate and may be explained by more individualist senators that do not delegate authority to the party. Senators exercise high levels of autonomy and, majority parties in particular, exercise this power as gatekeepers of presidential bills when the president is popular. The interaction effect of public approval and majority control in the Senate is a topic worth exploring in greater detail and future research should continue to analyze the relationship between institutional and contextual factors in this type of legislative environment.

APPENDIX

LIST OF INTERVIEWEES

1. Mr. Fernando Righini

2. Mr. Fernando Sanchez

3. Mr. Pablo Salinas

4. Ms. Agustina De Luca

5. Mr. Eric Calcagno

6. Dr. Matías Arregger

7. Mr. Martín Yañez

8. Mr. Agustín Pérez Sarlanga

9. Mr. Joaquín Moro

10. Ms. Daniela Gomel

11. Mr. Matías Ortega

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