

Legislative Institutions and Performance in Authoritarian Regimes

Alejandro Bonvecchi and Emilia Simison

Research on authoritarian regimes has recently expanded to the study of legislatures. This move seems pertinent given their presence in authoritarian polities. The Political Institutions and Political Events (PIPE) Data Set collected by Przeworski and others shows that legislatures existed in 80 percent of the country/year observations collected between the late nineteenth century and 2008 where non-elected executives ruled.¹ These legislatures came in all sorts: 6 percent were completely appointed by the executive, 27 percent partially so, and 66 percent were fully elected by the people (albeit with varying degrees of freedom and competitiveness). The PIPE dataset suggests that this diversity in institutional design may be associated with variation in the structure of the executive: Where monarchs ruled (56 percent of the cases of non-elected executives), 5 percent of legislatures were fully appointed by the executive, 42 percent were partially elected, and 53 percent fully-elected. Meanwhile, in cases where non-elected presidents or prime ministers ruled (37 percent of the sample), 7 percent of legislatures were appointed, 8 percent were partially elected, and 85 percent fully-elected. Finally, when collective executives ruled (4 percent of the non-elected sample), 5 percent of legislatures were appointed and 95 percent were fully elected. Variation even occurred within some authoritarian regimes, such as Franco's Spain, which changed its legislature from fully-appointed (between 1942 and 1966) to partially elected (from 1967); others, such as the Soviet Union, employed a fully elected legislature throughout, and yet others, such as the Brazilian military dictatorship, oscillated between a fully elected legislature and no legislature at all. What were the effects, if any, of these diverse institutional designs on legislative performance? Evidence from these cases indicates institutional design may have been consequential: while both the Spanish Cortes and the Supreme Soviet never rejected a government bill throughout their history, the latter, after Stalin's death, increasingly engaged in legislative amendments, and the Brazilian Congress frequently amended government bills and even rejected a few. What explains these variations in institutional design and legislative performance under authoritarianism?

The study of legislatures in authoritarian regimes has hitherto focused on the rationale for their inception and their role in the political economy. Scholars have argued that institutions in authoritarian regimes are devices that neutralize threats from both elite rivals and societal groups by providing a forum for cooperation and policy concessions and by formally establishing power-sharing arrangements that give allies veto power and stakes in the survival of the government coalition.² Research has also shown that legislatures serve to constrain the power of dictators and thus signal their commitment to respect property rights and foster the cooperation of private asset-owners that economies require to sustain growth and develop a tax base for dictators to finance their survival.³ There is, however, little work on how legislatures in authoritarian regimes are organized and how they actually perform the aforementioned functions. Except for a few pieces that show how legislative institutions open a way for legislators to influence outcomes,⁴ the literature generally assumes that dictators ultimately retain their hold on power, so legislatures are essentially irrelevant for lawmaking since they can be overridden by dictatorial discretion.⁵ As possible as obstruction and even defeats of authoritarian executives may be, they are presumed to be unlikely, infrequent, and inconsequential for the working of authoritarian regimes.

This article challenges that assumption on two counts. First, building on the literature on limited authoritarian government,⁶ we claim that once legislative institutions are set up as centerpieces of power-sharing arrangements within authoritarian regimes, they become costly for dictators to ignore and are consequently likely to affect both the lawmaking process and its outcomes. Second, building upon the literature on legislative organization,⁷ we argue that the rules which establish how the legislature is organized, sets its agenda, makes decisions, and relates to the executive determine its power and predict its performance.

Legislatures in authoritarian regimes may serve as power-sharing devices by providing a forum for intra-coalitional bargaining. However, the extent to which they are central to such arrangements is contingent on how each regime designs its power-sharing. Regimes concentrating executive power in one person generally intend to limit their power-sharing commitment to providing voice to coalition members, organizing legislatures with little to no agenda and/or policymaking powers, or no legislature at all. In contrast, regimes distributing executive power within a collective body generally intend to share power more extensively, so they would organize legislatures with comparatively stronger agenda and/or policymaking powers.

Once legislative institutions are set and embedded in the power-sharing arrangements of authoritarian regimes, their ability to constrain the executive and provide a forum for policy and political bargaining depends on the same factors as in democratic regimes: the division of legislative power between the executive and the legislature; the design of the executive branch; and the distribution of agenda power. Just like in democracies, when the rules of authoritarian regimes divide legislative power by granting legislatures the power to make legally-binding decisions, authoritarian executives cannot make decisions on their own. When these Executives are designed in such way that no individual leader or faction may monopolize power,

authoritarian leaders are forced to rule in coalition just like democratic leaders who face fragmented party systems. When agenda power within the legislature is distributed to grant veto rights to different factions, the lawmaking process is likely to experience obstruction and amendments to legislative initiatives just like in democratic settings.

We develop our argument in two ways. First, we discuss how the literatures on limited authoritarian governments and legislative organization may be combined to distinguish types of legislative institutions within authoritarian regimes. Second, we investigate how a specific type of such legislatures, those with decentralized agenda and policymaking powers, actually performs by analyzing a case for which complete archives of rules and lawmaking processes are available: the Legislative Advisory Commission (*Comisión de Asesoramiento Legislativo*, CAL) set up by the last military government in Argentina between 1976 and 1983. The CAL is an interesting case because it apparently did not comply with any of the theoretical requirements set by the literature to be counted as a legislature, but, by virtue of its required participation in the lawmaking process, the representation it granted to all branches of the Armed Forces, the tripartite division of power within the Military Junta (*Junta Militar*, JM), the limited role of the president in lawmaking, and the decision rules employed throughout the regime's decision-making bodies, the CAL effectively operated as a fragmented legislature that shared legislative power with a collective executive and a minority president. This institutional design led the lawmaking process to experience high rates of obstruction and amendments. The Argentine experience thus illustrates how, in authoritarian regimes, an institutional design that distributes executive power within a collective body results in a more contested legislative performance compared to regimes that concentrate power in a singular executive.

Institutional Design and Legislative Performance in Authoritarian Regimes

The burgeoning literature on “the new institutionalism in the study of authoritarian regimes” has expanded the field of research about authoritarianism to encompass its legislative institutions.⁸ In contrast to the “old institutionalism” that centered on the party state, the armed forces, and the repressive apparatus, “new institutionalist” studies concentrate on constitutions, legislatures, elections, and parties.⁹ Taking the presence of these institutions in authoritarian regimes seriously, this body of research has hitherto focused on explaining the rationale for the inception of legislatures and the role they fulfill.

The introduction of legislatures in authoritarian regimes has been explained as a move to institute a commitment device to limit authoritarian government. The rationale for this limitation could be economic or political. Building on the seminal work of North and Weingast about the role of constitutions in committing absolute rulers to respect property rights,¹⁰ Haber et al. argued that rules could credibly commit authoritarians to respect such rights if a third-party enforcer existed whose cooperation was required for government survival,¹¹ while Boix showed legislatures could serve that purpose by

documenting the fact that authoritarian regimes that included them were less prone to appropriate rents.¹² Escribá Folch generalized these arguments by modeling the creation of legislatures as contingent on the share of mobile capital in the economy and the dictator's discount factor.¹³

Political explanations of the role of legislatures in authoritarian polities have focused on their ability to commit dictators to respect power-sharing arrangements. Gandhi and Przeworski claimed that while authoritarian rulers typically employ consultative councils, juntas, and political bureaus to defuse threats from rivals within the ruling elite, they use legislatures if their survival requires neutralizing threats and soliciting cooperation from other groups in society.¹⁴ Legislatures are the arenas where rulers enhance their bases of support by incorporating political and societal actors to negotiate policy concessions that take into account their demands, and thus raise their stakes on the regime's survival.¹⁵ Boix and Svobik argue that when the distribution of power within the ruling coalition is balanced (i.e., when the dictator's allies can make credible threats of rebellion), dictators have incentives to establish and maintain legislatures that institutionalize power-sharing arrangements.¹⁶ Legislatures strengthen commitments to respect those arrangements by preventing both dictators' misrepresentation of the size of benefits and their refusal to share them.¹⁷

However, the literature on legislatures in authoritarian regimes has paid scant attention to how their institutional design affects lawmaking processes and outcomes. Gandhi and others distinguished between rubber-stamp legislatures with no significant policymaking powers and strong legislatures that operate as forums for meaningful bargaining.¹⁸ Gandhi argued that legislatures with multiple political parties "are an important form of access to the political arena, which reduces uncertainty for outside groups" and facilitates the granting of concessions by dictators.¹⁹ Wright distinguished between binding legislatures, which credibly constrain the power of authoritarian rulers, and nonbinding legislatures that fail to do so, and modeled the adoption of each type of legislature contingent to oil revenues, per capita income, and the dictator's time horizon.²⁰ Truex explored how "consultative authoritarianism,"²¹ with its public participation channels for lawmaking, affected regime support in China.²² Desposato's work on authoritarian Brazil modeled how under strategic and career-seeking assumptions, legislators were more likely to vote against the government when the military had little political room to purge them and their negative vote could strengthen their position among voters and party elites.²³ Malesky and Schuler studied how nomination procedures, electoral competitiveness, and professionalism empowered delegates to the Vietnam National Assembly to scrutinize government actions.²⁴

Although institutional design is theorized as potentially consequential for lawmaking, there are virtually no studies—except for Desposato and Malesky and Schuler—that identify the consequential institutions and explain their efficacy on processes and outcomes.²⁵ This is remarkable considering the evidence on legislative amendments and reversals under authoritarianism. As summarized in Saiegh,²⁶ scholars have found significant amendment activity in the Polish Sejm between 1952 and 1972,²⁷ the Kenyan House of Representatives in the 1960s,²⁸ the Thai parliament in the 1960s

and 70s, as well as rejection rates of up to 13 percent in Jordan between 1964 and 1974,²⁹ and 30 percent in Kenya in the early 1970s.³⁰ Saiegh himself, studying fourteen authoritarian regimes between 1965 and 1999, calculated an 8 percent average rejection rate, with a maximum of 26.77 percent for Kuwait and minimum of zero for Brazil, both during the 1970s.³¹ To account for these behaviors and their variation, studies should focus on how institutional design affects “what the assemblies actually do.”³²

A possible explanation for the slight attention given to institutional design in the study of legislatures under authoritarian regimes is the assumption that dictators in these regimes ultimately retain their hold on power. According to this assumption, authoritarian rulers could solve conflicts with legislators by closing the legislature or purging its members—thus authoritatively dissolving any separation of powers. This would explain why even though the presence of legislatures may result in government defeats on legislative votes when they are institutionally strong, such defeats would be infrequent³³. All in all, then, if legislatures in authoritarian regimes can be overridden by dictators and ordinarily dominated by the executive in their policymaking role, there would seem to be little to gain in studying their institutional design.

We challenge this assumption for two reasons. First, as institutional theory has repeatedly argued, for institutions to serve their purpose, they must credibly commit actors to respect them by imposing costs for violating them. So, if, as Boix and Svobik contend, authoritarian rulers create and maintain legislatures to defuse threats of rebellion by their allies, then in order to credibly commit themselves to respect power-sharing arrangements, dictators would need to design legislatures that effectively influence lawmaking.³⁴ Second, if legislative institutions matter due to their role in sustaining power-sharing arrangements, then their design matters because it shapes the extent of their lawmaking powers and their influence on legislative outcomes. In other words, if legislatures are established within power-sharing arrangements in authoritarian regimes, then they matter for lawmaking and its outcomes; moreover, they matter in the specific ways set up by their institutional design.

Under what conditions would dictators establish legislatures that assume such a central role in power-sharing and policymaking? How exactly should legislative institutions be designed to make legislatures effective for those purposes? The literature on limited authoritarian government suggests the answer to the first question depends on the nature of power-sharing arrangements. All dictators must establish some power-sharing device to commit their ruling coalition to loyalty by credibly limiting the leadership’s abuse so that coalition members “vest their interest in the survival of the dictatorship.”³⁵ However, different power-sharing devices entail different levels of commitment. When regimes concentrate executive power in one person, they generally intend for power-sharing to be highly limited, specifically no further than giving voice to ruling coalition members. Dictators under these regimes would establish legislatures with little to no agenda and/or policymaking powers. When regimes distribute executive power within a collective body, they generally intend for power-sharing to be more extensive, likely to involve both policymaking and succession processes. Dictators

under these regimes would establish legislatures with comparatively significant agenda and/or policymaking powers.

To determine how the design of legislative institutions in authoritarian regimes shapes the way they perform their role within the regime's power-sharing arrangements, analysis should focus on the same issues that concern the theories of legislative organization in democratic polities: the division of legislative power between the executive and the legislature; the design of the executive branch; and the distribution of agenda power within the legislature. For dictators to credibly commit themselves to honoring power-sharing arrangements that grant their allies effective input in policymaking, they need to divide legislative power between the executive and the legislature. This may be accomplished in many ways, as shown by Shugart and Carey and Carey and Shugart,³⁶ depending on how much the veto, decree, and policymaking powers enable the executive to make legislative decisions. When the rules of authoritarian regimes divide legislative power by granting legislatures necessary participation in making such decisions and capacity to uphold them, authoritarian executives—just like their democratic counterparts—cannot operate as absolute sovereigns who make law on their own.

The institutional design of the executive branch in authoritarian regimes matters for the performance of legislatures because it determines the ability of dictators to make unilateral decisions about the rules and workings of the political regime. While a personal executive can make the regime operate as an extension of the ruler's political will, a collective executive typically precludes any individual or faction monopolizing political power and forces dictators to rule in coalition. Leaders skilled in the art of political manipulation may occasionally transform a collective dictatorship into a personal one, as Stalin managed to do in the Soviet Union, but often—as Barros demonstrated for Pinochet's case in Chile—collective executives that institutionalize the balance of power within the ruling elite are able to prevent personal rule and constrain the president's ability to make unilateral decisions.³⁷ Thus, just like in democracies, when the rules of authoritarian regimes design the executive as a collective organization where no individual or faction may monopolize power, leaders must form and maintain coalitions to govern and pay for them by negotiating policy concessions.

The distribution of agenda power within the legislature matters for its performance because it determines the ability of factions or parties to shape the lawmaking process and its outcomes. The credibility of dictators' commitment to provide a forum for bargaining and binding decision-making requires endowing the actors whose cooperation is solicited with agenda power. This power may be monopolized by committees made up of self-selected legislators with homogeneous preferences, thus leading to pork-barrel politics and universal vote trading under closed deliberation rules.³⁸ Agenda power may alternatively be shared by plenary floors and committees made up of legislators with heterogeneous preferences, thus leading to open rule deliberation under informational contents that prevent capture of lawmaking by special interests.³⁹ Or, agenda power may be concentrated in the executive⁴⁰ or the political authorities of the legislature and exercised strictly to maintain the majority party or

cartel in control, thus leading to the sole approval of the legislation palatable to such cartel.⁴¹ Thus, just like in democracies, when the rules of authoritarian regimes grant agenda power to different factions or parties in formats equivalent to those modeled by distributive and informational theories of legislative organization, unilateral legislative decisions by authoritarian leaders are precluded, and the lawmaking process is likely to produce obstruction and amendments to legislative initiatives.⁴²

The combination of these literatures on limited authoritarian government and legislative organization thus suggests that the less personalized and more prone to power-sharing the dictatorship, the more empowered the legislature. Consequently, legislatures in authoritarian regimes may be located in a continuum between two extreme categories. On the one hand, regimes ruled by a personal executive, typically interested in low levels of power-sharing, would conceive legislatures with scarce constitutionally required involvement in lawmaking (if they created them at all), agenda power centralized in the executive or its agents, and little to no autonomous policymaking power, such as the Spanish Cortes during Franco's regime.⁴³ These legislatures, which we label as *notary*, regularly approve whatever the executive sends their way, typically with no amendments. On the other hand, regimes ruled by a collective executive, typically interested in higher levels of power-sharing, would incept legislative bodies with constitutionally required participation in lawmaking, comparatively decentralized agenda power shared between its members and the executive, and somewhat autonomous policymaking power, such as the Brazilian Congress during the last military regime.⁴⁴ These legislatures, which we label as *reviser*, would typically revise an executive's legislative initiatives, approve the majority, but also reject and/or amend a significant share. Legislatures may change their position in this continuum as the nature of the regime's executive and/or power-sharing arrangements changes.

To study the effects of legislative organization on the performance of legislatures in authoritarian regimes on a cross-national basis is next to impossible. Not only—as Gandhi and others note—is it extremely difficult to obtain data on legislative voting in authoritarian polities to assess the dependent variable,⁴⁵ but it is also hard to get a hold of legislatures' internal regulations and committee assignments in order to assess certain independent variables. In the face of such limitations, this article chooses the alternative strategy of developing a case study of a reviser legislature for which complete archives of rules and lawmaking processes are available, the Legislative Advisory Commission (CAL) run by the military regime in Argentina between 1976 and 1983, and then comparing its findings to those available about similar bodies.

The Argentine CAL is an interesting case for three reasons. On the one hand, the CAL was nominally a consultative body, rather than a lawmaking assembly, so it would apparently lack the ability to make legally-binding decisions required by the literature to consider it a binding legislature. On the other hand, the CAL's members were military officers appointed by the Junta, rather than civilians elected by the population, so they would apparently lack incentives to represent or even voice the interests of political or societal actors, and the commission itself would not even qualify to enter the PIPE, which only comprises bodies whose members were elected to their posts and served

under civilian dictators.⁴⁶ Finally, the CAL's decisions could be overridden by the Military Junta so the institution itself would apparently not meet the criteria of sanctioning a power-sharing arrangement within a balanced ruling coalition set by Boix and Svobik,⁴⁷ but merely provide an ineffectual forum for consultation. However, as will be detailed below, no law could be passed during Argentina's last military regime without the CAL's participation, the rules of appointment and decision-making granted autonomy to its members, and the makeup and decision rules of the Military Junta made the overruling of the CAL unlikely. So how exactly was this legislative institution organized? How did it interact with the executive? And in what ways did its organization affect the lawmaking process in this authoritarian regime?

Legislative Institutions in Argentina's Last Military Regime

The military government that ruled Argentina between 24 March 1976 and 10 December 1983 established an authoritarian regime with a collective executive branch that shared legislative power with the Legislative Advisory Commission. The collective executive consisted of the Military Junta (JM) and the president. The JM, formed by the Commanders in Chief of the Army, Navy, and Air Force, appointed and removed the president by unanimity rule.⁴⁸ The president and the Junta shared executive power: the latter appropriated the powers to declare states of emergency and war and to promote military officers; both shared the powers to appoint Supreme Court justices and provincial governors; and the president kept all remaining powers previously attributed by the Constitution to civilian presidents.⁴⁹ To make decisions, the Junta operated under two rules: full attendance of its membership, so no two commanders could decide without the third, and majority voting, except to appoint or remove the president and to change the regime's constitutional rules—i.e., the *Estatuto del Proceso de Reorganización Nacional* and the *Reglamento para el Funcionamiento de la Junta Militar, el Poder Ejecutivo Nacional y la Comisión de Asesoramiento Legislativo*.⁵⁰ Cabinet positions in the executive branch, as well as provincial governorships and municipalities, were divided into thirds, granting a roughly equal number of positions to each of the armed forces.⁵¹

Consistent with Boix and Svobik's prediction,⁵² this power-sharing arrangement was devised to institutionalize the balance of power within the ruling elite. The military sought to avoid repeating the experience of the previous dictatorship (1966–1973), in which the Army had practically monopolized decision-making. The Army wanted to share the burden of the struggle against guerrillas; and the Navy and the Air Force wanted to prevent the emergence of an Army strongman that could exclude them from decision-making.⁵³

This power-sharing arrangement was also meant to contain factionalism. The Argentine Armed Forces were divided along many fault lines: the extent and timing of political repression, which pitted softliners against hardliners; the conduct of economic policy, which pitted neoliberals against developmentalists; and the breadth and speed of

political transition, which pitted authoritarian reformers against transition advocates.⁵⁴ Establishing the JM as the “supreme government entity” of the country, employing unanimity rule to appoint and remove the president, and equally sharing policymaking positions throughout all levels of government were institutional designs explicitly aimed at addressing those concerns.⁵⁵ If all three branches of the Armed Forces were equally responsible for decision-making, political agreement among the three commanders in chief would be a requisite for the regime to operate. To reach the presidency and coordinate the executive branch, any given military leader was forced to build coalitions within his service and in the others—so as long as the fault lines dividing the military leadership were not bridged or eliminated, no strongman could emerge.

The institutional design of this collective executive branch has three theoretically relevant implications for our argument. First, no unilateral executive decisions were possible: no Junta member could decide anything alone; no president could appoint any executive or judiciary officer without explicit agreement from the Junta, or decide any administrative matter without its implicit consent; no Junta member or president could unilaterally change the rules of the regime. Second, all chief executives were minority presidents: they belonged to only one service, the Army, and most likely to one—not necessarily dominant—faction within it, so it was impossible for them to command a majority in the Junta and unlikely for them to do so within their own ranks. Third, all governments had to be coalitional in nature: the tripartite division of cabinet positions made all cabinets coalitional;⁵⁶ the division of executive power forced presidents to form coalitions in the Junta to make decisions. In short, the collective Executive structure produced minority presidents without unilateral decision-making powers forced to build and maintain coalition governments.

This power-sharing arrangement also permeated legislative institutions and the lawmaking process. The Legislative Advisory Commission consisted of nine senior officers of the Armed Forces, three per service, appointed by the high commands of each force for as long as commanders pleased.⁵⁷ These officers met in plenary sessions to provide the Junta and the president “legislative advice on behalf of the Armed Forces.”⁵⁸ Below the plenary were eight sub-commissions (Defense and Foreign Relations; Interior and Justice; Education; Social Welfare and Labor; Budget, Finance, Industry, and Natural Resources; Agriculture, Livestock, and Trade; Public Works and Transportation; and Energy and Communications) staffed by four to six junior officers, with each service controlling the majority vote in three sub-commissions.⁵⁹ The makeup of the CAL thus tried to replicate the balance of power institutionalized in the Junta. Consequently, although CAL members could be replaced at the pleasure of their service’s high command, since the latter was quite factionalized, particularly in the case of the Army, for the Commander sitting in the Junta, purging the Force’s delegation at the CAL could upset the balance of power in the High Command, which in turn could jeopardize the Commander’s control over his own succession and, thus, the balance of power within the Junta. These overlapping factional politics provided the CAL delegates with the chance to behave autonomously from the president by playing their two principals—the JM and the High Commands—against one another.

The combination of this institutional environment and the regime's lawmaking procedures provided the CAL with incentives, resources, and opportunities to operate beyond the role of a merely consultative body. The commission was required to "intervene in the formation and sanction of the nation's laws."⁶⁰ To perform this role, it had to analyze all legislative initiatives with the aim to sort out those with "significant relevance" (SR), which it subsequently referred to its sub-commissions for further consideration, and send those "without significant relevance" (NSR) to the president for immediate approval.⁶¹ The sub-commissions had twenty to thirty days to issue provisional reports on SR initiatives, which had to suggest their approval, rejection, or amendment.⁶² Subsequently, the CAL plenary had another thirty to forty days to produce—using majority rule—a definitive report on each bill, which would then be referred to the president.⁶³ Should the president disagree with the CAL's report, the matter would be passed on to the Junta, whose decision would be final.⁶⁴

The regime's rules granted legislative proposal power to the high commands of the Armed Forces, the president, and the cabinet ministers,⁶⁵ and split veto power between the president and the Junta.⁶⁶ These provisions aimed at guaranteeing that the Armed Forces and their factions would share responsibility for legislative decisions and could voice their own concerns during the lawmaking process. Thus, since the CAL replicated the tripartite division of power established in the Junta, no single service or faction could make legislative decisions alone, the commission and its sub-commissions were venues for other institutional arenas—such as provincial governments—to channel their legislative demands, and the law-making process could only reach an outcome by forming coalitions amongst the services and their factions.

The institutional design of the legislative process yields, again, three theoretically relevant implications for our argument. First, legislative power was divided and shared between the Junta, the president, and the CAL: none of these entities could make legally-binding decisions alone. Second, disagreement between the CAL and the president was likely to be frequent: the CAL members were autonomous from the president and could use factional divisions to play their principals in the Junta and the high commands against each other; the president had no unilateral power to overrule the CAL; no single Junta member could unilaterally settle disputes between the CAL and the president, and, given the tripartite division of power in all institutional arenas, the Junta was unlikely to form a majority to override the CAL. Third, agenda power in the CAL was decentralized following informational principles: both the CAL and its sub-commissions were staffed by officers from all military services, so no self-selection or hegemony of preference outliers was possible; deliberations were conducted under open rule, so any amendment could be proposed and adopted; the plenary could discharge any sub-commission from considering any report, so no horse-trading between both arenas or among sub-commissions was possible; and the tripartite makeup of the plenary made the emergence of a legislative cartel unlikely. In short, the regime's legislative institutions produced a fragmented legislature constituted by significantly autonomous members who could only make decisions by forming inter-service and/or inter-faction coalitions.

Consistent with our theory, the CAL was organized as a reviser legislature: the collective structure of the regime's executive and the rules of tripartite power-sharing led the military to set up a legislative body and a lawmaking process in which factional interests could not only be represented in the crafting of, but also exercise veto power over, legislative initiatives. Consequently, it was inherently likely that, despite the military nature of the dictatorship, the appointed character of the CAL membership, and the expected obedience from junior officers to their superiors, this legislative organization would significantly amend and reject some executive bills.

This analysis of Argentina's authoritarian institutions suggests two hypotheses to be tested in order to assess the effects of institutional design on legislative performance. One concerns the potential effects of the executive's structure on lawmaking processes and outputs. If the Armed Forces were highly factionalized, it is likely that the legislative proposals submitted by members of one faction were blocked or amended by members of other factions. Thus,

Hypothesis 1: The more/less factionalized the Armed Forces, the more/less likely that legislative proposals were blocked or amended in the CAL; and

The second hypothesis concerns the potential effects of the CAL's legislative organization on its processes and outcomes. Given the makeup of the CAL's plenary and sub-commissions, and the tripartite distribution of majority control by each branch of the Armed Forces over the latter, it is likely that proposals submitted by one branch's high command or ministries were blocked or amended by sub-commissions controlled by the other services. Thus,

Hypothesis 2: The sub-commissions controlled by one branch of the Armed Forces blocked or amended more proposals submitted by the other branches or their ministries than those promoted by their own service.

Data and methods

In order to test these hypotheses, we built a database from CAL official records which have recently become available at the National Archives.⁶⁷ This database contains information about the legislative process of the 2,150 proposals received by the CAL between 1976 and 1983. We also collected information about the balance of power among the Armed Forces at the monthly level from archival and historical sources.

Using this information, we analyzed the effects a set of independent variables had on the probability of the CAL making four decisions on a proposal: classifying it as "not significantly relevant" (NSR), issuing a final recommendation on it, amending it, and rejecting it.⁶⁸ Since our interest was to observe the effect the independent variables had on the probability of occurrence of these specific outcomes, we estimated four generalized linear models with robust standard errors.

Before moving on to the variables employed in the models, some descriptive statistics are in order to provide an overall picture of the data. First, 77 percent of all

legislative initiatives became law, while 23 percent were defeated, either returned or withdrawn during the legislative process, or downright rejected by the CAL.⁶⁹ The CAL classified 90 percent of bills, while the remaining 10 percent were either returned to or withdrawn by the executive. Of the classified initiatives, 85 percent were eventually enacted, and 45 percent were labeled as SR. In addition, the CAL suggested approval of 80 percent of SR initiatives, while rejecting the remaining 20 percent. For those SR bills about which the CAL issued a final recommendation, the report included comments and amendments in 68 percent of the cases. Moreover, even when proposals were classified as NSR, the CAL nevertheless introduced comments and suggested amendments in 43 percent of the cases.⁷⁰

Table 1 shows the CAL recommendation and the Junta final decision for all bills classified as SR. The data clearly illustrates that the CAL’s recommendations had an effect on the Junta’s lawmaking decisions. Only 1.17 percent of the bills were subsequently enacted by the Junta against the CAL’s recommendation of rejection (with or without amendments), which means the Junta essentially respected the CAL’s rejection decisions.

As anticipated, we estimated four generalized linear models with four dependent variables. The first model estimated the effect the independent variables had on the probability of a proposal being classified as NSR, while the second estimated their effect on the probability of the CAL issuing a final recommendation. The other two models focused on the proposals classified as SR, as these were the ones about which a final recommendation from the CAL was expected. For the third model, we used the CAL’s recommendation to reject a proposal as a proxy for blocking. Finally, as a proxy for proposal amendment, we considered whether the CAL suggested its approval with amendments.

To test Hypothesis 1 about the level of factionalism in the Armed Forces, we built a variable counting the number of factions per month, considering each branch as a faction and using historical sources to distinguish factions within each service according to the positions of military leaders on the five issues that cut cleavages therein: support for the president; support for economic policy; dialogue with political parties; dialogue with unions; and termination of state terror operations.⁷¹ We follow Shih in defining

Table 1 CAL Recommendation and Junta Decision on SR Bills

		Junta Decision	
		Reject	Pass
CAL Recommendation	Approval	1.56%	16.62%
	Approval with Amendments	8.96%	64.42%
	Rejection	3.38%	0.39%
	Rejection with Amendments	3.9%	0.78%
		17.8%	82.21%

Source: authors’ own elaboration on the basis of the CAL Archive.

faction as “a personal network of reciprocity that seeks to preserve and expand the power of the patron.”⁷² However, we were unable to measure factions in the canonical way due to lack of access to data on military promotions, typically employed to establish who the patrons within the network were. Instead, we followed historians in identifying factions by the public alignment of military officers with the positions of leaders on the aforementioned issues. While some actors may have genuinely believed in some of these positions, we understand their pronouncements as strategic statements used to signal group loyalty, which, given the hierarchical structure of the military, was instrumental to secure personal advancement within the ranks. Factions were counted in when, according to the historical sources cited above, new leaders emerged with new positions, and out when leaders were either purged or realigned their positions alongside others.⁷³

In order to observe if the CAL sub-commissions controlled by a specific branch of the armed forces blocked or amended more proposals submitted by the other branches or their controlled ministries, we built a variable that identifies whether the Ministry submitting the proposal and the sub-commissions dealing with it were politically controlled by different services. The branch with more members within a sub-commission was considered to be in control of it. In the few cases where there was a draw, we attributed control to the service that held the chairmanship as the chairman’s signature was necessary for any report to be issued.⁷⁴

Besides, as it is also highly likely for the technical complexity of a proposal to affect its probability of being amended by any legislature, and since we have no clear theoretical expectation of its possible relation to the rejection rate, we included a proxy for complexity as a control variable: the length (measured as number of pages) of the file corresponding to each bill. The files in the CAL archive included not only the text of the proposal but also other documents, which assessed its complexity, such as sub-commission reports, opinions issued by the administrative units consulted, or pertinent legal precedents.⁷⁵

4. Empirical Analysis

The first two columns in Table 2 present the results for the first two models, which explore the effect the independent variables had on the probability of the CAL classifying a proposal as NSR or issuing a final recommendation.

The statistically significant variables affecting the probability of classifying a proposal as NSR (column labeled “NSR”) were the number of factions and the variable measuring the proposal’s complexity. The number of factions had a positive effect on the probability of classifying a proposal as NSR. Conversely, the proposal’s complexity reduced, on average, the probability of classifying a proposal as NSR. This seems to indicate that in those cases the CAL was more likely to intervene in the legislative process.

On the other hand, the statistically significant variables affecting the probability of the CAL issuing a final recommendation on a proposal were the number of factions in

the Forces, the different political control over proposing Ministries and CAL sub-commissions, and the complexity variable. Both the number of factions and the different political control over proposing Ministries and CAL sub-commissions reduced the probability of final recommendation. Conversely, it was more likely for the CAL to issue such recommendation when the proposal was more complex.

The last two columns in Table 2 show the results from the generalized linear models focused on proposals classified as significantly relevant. The column labeled “Rejection” shows the effect of the independent variables on the probability of the CAL rejecting a proposal. The only variable reaching statistical significance was the number of factions. As expected, this variable increased the probability of rejection. The proposal’s complexity seems to have had no effect on that probability. This may suggest that it was the balance of power among the Armed Forces, and not the content of bills, that determined their rejection by the CAL.

The last column in Table 2 (labeled “Amendments”) shows the effect the independent variables had on the probability of the CAL issuing a final recommendation that suggested approving a bill with amendments. The statistically significant variables here were the number of factions in the Forces and the number of pages in the proposal file. As expected, not only the complexity of a bill, but also the number of factions which had to agree on its passage, increased the likelihood of amendments⁷⁶.

Discussion The evidence presented shows that the Legislative Advisory Commission in Argentina’s last military dictatorship was not only an important player in the regime’s legislative process, but also a comparatively strong actor in lawmaking under authoritarianism. As analyzed in the extant literature, government legislative defeats under authoritarianism amounted to a maximum of 26.7 percent and a mean of 8 percent.⁷⁷ In contrast, the Argentine military executive had 23 percent of its bills

Table 2 Generalized Linear Models

	CAL			
	NSR	Recommendation	Rejection	Amendments
	All Proposals		Only SR Proposals	
N Factions	0.18951*** (0.05519)	-0.16377** (0.05339)	0.44862* (0.18584)	0.17089* (0.07953)
Different Force	0.09123 (0.10491)	-0.21315* (0.100475)	0.31563 (0.29924)	-0.12996 (0.14981)
N Pages	-0.0124*** (0.00096)	0.00815*** (0.00067)	-0.00047 (0.00079)	0.00241*** (0.00062)
Intercept	0.07166 (0.29342)	-0.278397 (0.284764)	-4.8986*** (1.03501)	-0.499124 (0.41867)
N	1885	2090	741	746

Robust standard errors in brackets. Significance codes: * p ≤ 0.05, ** p ≤ 0.01, *** p ≤ 0.001.

withdrawn, returned, or rejected by the CAL, with a maximum of 28 percent and a minimum of 12 percent per presidency. This places the Argentine case at the peak of rejection rates for military regimes and among the highest for authoritarian regimes in general.

While this case study does not test our general theoretical argument, the evidence from the CAL's experience indicates that the combination of a collective executive structure, shared legislative power with the Junta and the CAL, and the tripartite division of institutional positions in the CAL and the cabinet generated multiple opportunities for the highly factionalized Argentine Armed Forces to block or amend each other's legislative initiatives. As our theory predicted, the data showed that the higher the number of factions, the higher the likelihood of the CAL rejecting or amending initiatives.

In addition, the evidence suggests, as theorized above, that the institutional design of the legislative process had a significant impact on its outcomes. The decentralized power structure under informational principles provided the sub-commissions in the CAL with the ability to block and amend bills. Our data show they used it: the likelihood of a bill being blocked or amended increased when the service controlling the sub-commission to which a bill was referred differed from the one controlling the ministry that drafted the bill.

Conclusion

This case study has shown that the institutional design of this authoritarian legislature shaped legislative performance by way of the same design factors as in democratic regimes. As legislative power was shared, executives had a collective nature, and agenda power in the legislature was decentralized, authoritarian executives were, just as their democratic counterparts, likely to be led by minority presidents and have their lawmaking initiatives rejected or amended by the legislature. The probability of these outcomes tended to be higher the more fragmented and unstable the distribution of political power.

Unfortunately, the scarce availability of information on the institutional design and workings of other legislatures in authoritarian regimes precludes a systematic comparison of our findings. Instead, we broadly compare them here to those from three legislatures that operated under institutional arrangements of varying (dis)similarity: the Spanish Cortes under Franco's regime; the USSR's Supreme Soviet; and the Brazilian Congress during the 1964–1985 dictatorship.

The Spanish Cortes operated under a personal dictatorship that concentrated agenda and policymaking powers in the Chief Executive. Its behavior was typical of a notary legislature: "never in the history of the Franquista Cortes was a report on a government legislative initiative defeated" in a plenary vote.⁷⁸ The only evidence of opposition against Franco's bills can be found in the number of votes against them, but in only 19 of 4,415 committee reports between 1943 and 1967 was this number higher than fifteen, out of a mean of 520 voting members.⁷⁹

The USSR's Supreme Soviet worked under the collective dictatorship of the Communist Party's Politburo. While the regime's constitution defined the Supreme Soviet as the "highest body of state authority,"⁸⁰ the Politburo concentrated agenda and policymaking powers in the Council of Ministers and only summoned the legislature a few times a year to solicit approval for its initiatives. Its behavior was thus closer to the notary than the reviser type of legislature: the Supreme Soviet never rejected a government bill. However, unlike the Spanish Cortes, as the Soviet Executive started to operate in a more collective way after Stalin's death, the legislature increasingly modified budgetary allocations, which could be interpreted as a move towards the reviser type of legislature.⁸¹

The Brazilian Congress during the last dictatorship operated under constitutional rules that established a personal executive backed by the leadership of the Armed Forces and simultaneously divided agenda and policymaking powers between the President and Congress.⁸² Its behavior was closer to the reviser type of legislature: it regularly amended Executive bills and even rejected four proposals.⁸³

The patterns identified above suggest the study of legislative institutions and their impact on legislative performance in authoritarian regimes is worth pursuing. If constitutional rules and legislative organization may lead dictators, just as democratic leaders, to legislative defeats and amendments, then it is also likely that they would shape the nature of public policies and the political dynamics of lawmaking processes. This is the agenda we intend to follow in future research.

NOTES

The authors thank Robert Barros, Ernesto Calvo, and Germán Feierherd, as well as participants in panels at Universidade Estadual do Rio De Janeiro, Universidad Nacional de Cuyo, Universidad de San Andrés, and Universidad Torcuato Di Tella, and the reviewers from *Comparative Politics* for their critique and suggestions on previous versions.

Due to space constraints, the Appendix is not in the print version of this article. It can be viewed in the online version, at www.ingentaconnect.com/cuny/cp.

1. Adam Przeworski et al., *Political Institutions and Political Events (PIPE) Data Set*, Department of Politics, New York University, 2013.

2. Carles Boix and Milan Svobik, "The Foundations of Limited Authoritarian Government: Institutions, Commitment, and Power-Sharing in Dictatorships," *The Journal of Politics*, 75 (April 2013), 300–16.

3. Jennifer Gandhi and Adam Przeworski, "Dictatorial Institutions and the Survival of Autocrats," *Comparative Political Studies*, 40 (November 2007), 1279–2301; Joseph Wright, "Do Authoritarian Institutions Constrain? How Legislatures Affect Economic Growth and Investment," *American Journal of Political Science*, 52 (April 2008), 322–43; Joseph Wright and Abel Escriba Folch, "Authoritarian Institutions and Regime Survival: Transitions to Democracy and Subsequent Autocracy," *British Journal of Political Science*, 42 (April 2012), 283–309.

4. Scott Desposato, "Legislative Politics in Authoritarian Brazil," *Legislative Studies Quarterly*, 26 (May 2001), 287–317, Edmund J. Malesky and Paul J. Schuler, "Nodding or Needling: Analyzing Delegate Responsiveness in an Authoritarian Parliament," *American Political Science Review*, 104 (August 2010), 482–502.

5. Beatriz Magaloni, "Credible Power-Sharing and the Longevity of Authoritarian Rule," *Comparative Political Studies*, 41 (May 2008), 715–41.

6. Boix and Svolic.

7. Kenneth A. Shepsle and Barry R. Weingast, "Political Preferences for the Pork Barrel: A Generalization," *American Journal of Political Science*, 25 (February 1981), 96–111, Barry R. Weingast and William J. Marshall, "The Industrial Organization of Congress; or Why Legislatures, Like Firms, Are Not Organized as Markets," *Journal of Political Economy*, 96 (February 1988), 132–63, Keith Krehbiel, *Information and Legislative Organization* (Ann Arbor: University of Michigan Press, 1992), Gary W. Cox and Mathew D. McCubbins, *Setting the Agenda: Responsible Party Government in the US House of Representatives* (Cambridge: Cambridge University Press, 2005), Gary W. Cox and Mathew D. McCubbins, *Legislative Leviathan. Party Government in the House*, 2nd ed. (New York: Cambridge University Press, 2007).

8. Andreas Schedler, "The New Institutionalism in the Study of Authoritarian Regimes," Paper presented at 105th Annual Meeting of the American Political Science Association (APSA) (Toronto, Canada, September 3–6, 2009).

9. *Ibid.*, 4.

10. Douglas North and Barry R. Weingast, "Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England," *The Journal of Economic History*, 49 (December 1989), 803–32.

11. Stephen Haber, Armando Razo, and Noel Maurer, *The Politics of Property Rights* (Cambridge: Cambridge University Press, 2003).

12. Carles Boix, *Democracy and Redistribution* (Cambridge: Cambridge University Press, 2003).

13. Abel Escriba Folch, "Legislatures in Authoritarian Regimes," *Estudio/Working Paper* no. 2003/196 (September 2003), https://www.upf.edu/documents/2873379/2873034/Escriba_Legislatures.pdf/52c2cbf0-b853-4ba8-8c6a-bddd6b13836, Abel Escriba Folch, "Dictadores, Instituciones y Derechos de Propiedad," *Foro Internacional*, 45 (April-June 2005), 220–48.

14. Gandhi and Przeworski.

15. *Ibid.*, 1283.

16. Boix and Svolic.

17. *Ibid.*, 306–07.

18. Jennifer Gandhi, Joseph Gochal, and Sebastián Saiegh, "Governments' Legislative Defeats under Dictatorship," Paper presented at the annual meeting of the *Midwestern Political Science Association*, Chicago, April 3–6, 2003.

19. Jennifer Gandhi, *Political Institutions under Dictatorship* (Cambridge: Cambridge University Press, 2008), 80.

20. Wright, 322–43.

21. Baogang He and Mark E. Warren, "Authoritarian Deliberation: The Deliberative Turn in Chinese Political Development," *Perspectives on Politics*, 9 (June 2011), 269–89.

22. Rory Truex, "Consultative Authoritarianism and Its Limits," *Comparative Political Studies*, 50 (March 2017), 329–61.

23. Desposato.

24. Malesky and Shuler, 2010.

25. Desposato; Malesky and Shuler, 2010.

26. Sebastián Saiegh, *Ruling by Statute: How Uncertainty and Vote Buying Shape Lawmaking* (Cambridge: Cambridge University Press, 2011), 79–83.

27. David M. Olson and Maurice D. Simon, "The Institutional Development of a Minimal Parliament: The Case of the Polish Sejm," in Daniel Nelson and Stephen White, eds, *Communist Legislatures in Comparative Perspective* (London: Palgrave Macmillan UK, 1982), 47–84.

28. Cherry Gertzel, "Parliament in Independent Kenya," *Parliamentary Affairs*, 19 (November 1966), 486–504.

29. Michael Mezey, *Comparative Legislatures* (Durham: Duke University Press, 1979).

30. Gerhard Loewenberg and Samuel C. Patterson, *Comparing Legislatures* (Lanham: University Press of America, 1979).

31. Saiegh, 82.

32. Edmund J. Malesky and Paul Schuler, "Authoritarian Legislatures," in Shane Martin, Thomas Saalfeld, and Kaare W. Strøm, eds., *The Oxford Handbook of Legislative Studies* (Oxford: Oxford University Press, 2014), 10.

33. Gandhi et al.

34. Boix and Svolic.

35. Magaloni.

36. Matthew Soberg Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics* (Cambridge: Cambridge University Press, 1992). John M. Carey and Matthew Soberg Shugart, "Institutional Design and Executive Decree," in John M. Carey and Matthew Soberg Shugart, eds., *Executive Decree Authority* (Cambridge: Cambridge University Press, 1998), 274–98.
37. Robert Barros, *La Junta Militar, Pinochet y la Constitución de 1980* (Santiago: Sudamericana, 2005).
38. Shepsle and Weingast, Weingast and Marshall.
39. Krehbiel.
40. Gary W. Cox and Scott Morgenstern, "Epilogue: Latin America's Reactive Assemblies and Proactive Presidents," in Scott Morgenstern and Benito Nacif, eds., *Legislative Politics in Latin America* (Cambridge: Cambridge University Press, 2002), 446–68.
41. Cox and McCubbins, 2005, 2007.
42. Agenda power may also be contingent on ruling party cohesion, as in conditional party government theory (David W. Rodhe, *Parties and Leaders in the Postreform House* (Chicago: The University of Chicago Press, 1991)). But our point, following the theory of limited authoritarian government, is that power-sharing arrangements, rather than circumstantial issues, define agenda power.
43. Miguel Ángel Giménez Martínez, *Las Cortes Españolas en el Régimen de Franco. Nacimiento, Desarrollo y Extinción de una Cámara Orgánica* (Madrid: Congreso de los Diputados, 2012).
44. Desposato.
45. Gandhi et al.
46. Przeworski and others.
47. Boix and Svulik.
48. Junta Militar, *Estatuto del Proceso de Reorganización Nacional* (1976), Articles 1, 2, and 3. Junta Militar, *Reglamento para el Funcionamiento de la Junta Militar, Poder Ejecutivo Nacional y Comisión de Asesoramiento Legislativo (Anexo al Acta N° 69 del 26 de Julio de 1978)* (1978), Articles 2.1 and 2.2.
49. Junta Militar, 1976a, Articles 2, 4, 5, 9, and 12.
50. *Ibid.*, Articles 3 and 15.
51. Hugo Quiroga, *El Tiempo Del Proceso* (Rosario: Homo Sapiens, 1994), Marcos Novaro and Vicente Palermo, *La Dictadura Militar* (Buenos Aires: Paidós, 2006). The partial exception concerned the provincial governorships, which were distributed according to the presence of each Armed Force in the territory (*ibid.*). As Daniel R. García Delgado and Marcelo Stiletano, "La Participación de los Militares en los Nuevos Autoritarismos: La Argentina del 'Proceso' (1976–1983)," *Revista del Centro de Estudios de la Realidad Contemporánea*, 14 (May/August 1988), 80–81, point out, governors were initially active military officers, subsequently retired officers, and eventually civilians in all but nine districts. Factoring civilians in, they calculate the Army controlled 46% of governorships, the Navy 11.5%, and the Air Force 17.2%.
52. Boix and Svulik.
53. Novaro and Palermo.
54. Novaro and Palermo. Factionalism was concentrated in the Army, for which these authors identify four factions by 1978. While the Navy and the Air Force remained fairly cohesive throughout the regime, the Army always had at least two factions in conflict, and neither the Navy nor the Air Force were perfectly aligned with any Army faction (also Andrés Fontana, "Political Decision Making by a Military Corporation: Argentina 1976–1983," Ph.D. dissertation (University of Texas at Austin, 1987)).
55. Audio interview with Gral José Villarreal, General Secretary of the Presidency (1976–1978), *Archivo de Historia Oral, Programa de Historia Política, Instituto de Investigaciones Gino Germani*, University of Buenos Aires.
56. "Each minister, in theory, was [under] the President's [authority], but in fact they took their orders from their respective Commander" (Audio interview with Gral J. Villarreal, cited above). The cabinet's tripartite division was strictly respected throughout the regime. Cabinets were also stable: except for five cases, ministers changed only with the beginning of each new presidential term.
57. Junta Militar, *Reglamento para el Funcionamiento de la Junta Militar, Poder Ejecutivo Nacional y Comisión de Asesoramiento Legislativo (Anexo a Ley 21.256)* (1976), Article 3.1 and 3.5.1.
58. *Ibid.*, Articles 3.2.1 and 3.2.2.
59. CAL Archive: Book 0, Folder 0, Document 1. A table showing which Force held the Presidency and chairmanships of each CAL sub-commission, as well as the change rate of its members, is available as online Appendix 1.
60. Junta Militar, 1976b, Article 3.3.1.
61. *Ibid.*, Article 4.2. Proposals could also be withdrawn from the CAL by the Executive, or returned by the CAL. In our review of the CAL archive, bills were typically returned for four reasons: recommendation for

another ministry to intervene in formulation; technical disagreement over policy instruments; suggestion to accommodate sectoral demands; or formal errors in presentation. Although these bills were not classified, they were nevertheless submitted, so we treat them as legislative defeats alongside those explicitly rejected by the CAL. The distinction between SR and NSR bills was not substantively defined within the regime's rules. In our interpretation, it was used to differentiate between controversial and uncontroversial proposals, so the CAL would take up the controversial for further debate.

62. *Ibid.*, Article 4.4.

63. *Ibid.*, Articles 4.5 and 4.6.

64. *Ibid.*, Articles 4.8 and 4.9.

65. *Ibid.*, Articles 4.1.1 and 4.1.2.

66. *Ibid.*, Articles 4.8 and 4.9.

67. Archivo General de la Nación, Archivo Intermedio (<http://www.mininterior.gov.ar/agn/archivo-intermedio.php>).

68. R and R Studio were used in our analyses. Scripts and dataset are available on request.

69. Rejection includes bills withdrawn by the Executive, returned or rejected by the CAL, and approximately 11 proposals not approved in 1983 for deferral of matters to the incoming civilian government. Of 233 bills returned or withdrawn, 64 were reintroduced by the Executive and eventually become law, but only 46 were passed under the same CAL composition. If we count these 46 bills as successes, the rejection rate drops to 19%. A table on bill movements and CAL decisions throughout the period is available as online Appendix 2.

70. For annual variation, see online Appendix 2.

71. Novaro and Palermo, Quiroga, Fontana.

72. Victor C. Shih, *Factions and Finance in China. Elite Conflict and Inflation* (Cambridge: Cambridge University Press, 2008), 50.

73. The number of factions in the Army dropped from four to three when General L. Menéndez, leader of the faction that opposed the government's economic and repressive policies and its dialogue with unions and parties, was relieved from command of the Third Army Corps after his failed rebellion against Videla in September 1979. Then it dropped to one in December 1981, when President R. Viola, leader of the faction who advocated changing economic policy, ending repression and engaging unions and parties, was deposed, and General A. Harguindeguy abandoned his position for engagement with parties to realign with incoming President L. Galtieri, who opposed it. When Galtieri fell in June 1982, two factions re-emerged: one led by General C. Nicolaidis, who opposed dialogue with parties, and another led by President R. Bignone, who favored it.

74. We thank Mariano Villalba for providing us with this information available at the Air Force Library. Our data differ from García Delgado and Stiletano, 55–88, in three ways. Firstly, they present information on the makeup of sub-commissions for only one year, while we work with complete information for the whole period. Secondly, they define control over sub-commissions by looking only at which service held their chairmanship, while we also look into the makeup of each sub-commission to determine which Force held a majority or plurality. Finally, although we concur that in the final count of CAL members at the regime's end the Army had more than the other services, this does not mean the Army had greater influence within this body, insofar as all services always retained parity in the CAL plenary and the CAL presidency was rotated annually.

75. The results were robust to the use of other proxies such as the number of referrals to sub-commissions or the number of sessions when a proposal was debated. A table with descriptive statistics for all the independent variables is available as online Appendix 3.

76. All results are robust to specifications using Ordinary Least Squares, available upon request. Tests of the goodness of fit of all models reveal strong evidence in favor of rejecting the null hypothesis and the absence of over-dispersion.

77. Saiegh, 82.

78. Giménez Martínez, 234.

79. *Ibid.*, 235.

80. Stephen White, "The USSR Supreme Soviet: A Developmental Perspective," *Legislative Studies Quarterly*, 5 (May 1980), 247–74, 247.

81. *Ibid.*, 265–70.

82. Antônio Carlos Pojo do Rego, *O Congresso Brasileiro E O Regime Militar (1964–1985)* (Rio de Janeiro: FGV, 2008).

83. Desposato.

APPENDIX

Appendix 1 Force in Control of CAL Presidency and Sub-Commissions, 1976–1983

	Year	From	To	Force	Change Rate (Periods)
Presidency	1976	1-Apr	31-Dec	Navy	
	1977	1-Jan	31-Dec	Air Force	0.67
	1978	1-Jan	31-Dec	Army	0.33
	1979	1-Jan	31-Dec	Navy	0.83
	1980	1-Jan	31-Dec	Air Force	0.50
	1981	1-Jan	21-Jul	Army	0.80
		22-Jul	31-Dec	Army	0.00
	1982	1-Jan	30-Jun	Navy	0.40
		1-Jul	21-Sep	Army	0.60
		22-Sep	31-Dec	Air Force	0.80
1983	1-Jan	31-Dec	Air Force	0.20	
Defense and Foreign Relations	1976	1-Apr	31-Dec	Navy	
	1977	1-Jan	31-Dec	Navy	0.75
	1978	1-Jan	31-Dec	Navy	0.75
	1979	1-Jan	31-Dec	Navy	0.50
	1980	1-Jan	31-Dec	Navy	0.50
	1981	1-Jan	21-Jul	Navy	0.50
		22-Jul	31-Dec	Navy	0.00
	1982	1-Jan	30-Jun	Navy	0.50
		1-Jul	21-Sep	Army	0.75
		22-Sep	31-Dec	Navy	0.75
1983	1-Jan	31-Dec	Navy	0.75	
Interior and Justice	1976	1-Apr	31-Dec	Army	
	1977	1-Jan	31-Dec	Air Force	0.50
	1978	1-Jan	31-Dec	Air Force	0.40
	1979	1-Jan	31-Dec	Air Force	0.75
	1980	1-Jan	31-Dec	Air Force	0.25
	1981	1-Jan	21-Jul	Air Force	0.50
		22-Jul	31-Dec	Air Force	0.00
	1982	1-Jan	30-Jun	Air Force	0.00
		1-Jul	21-Sep	Army	0.75
		22-Sep	31-Dec	Air Force	0.67
1983	1-Jan	31-Dec	Army	0.25	

	Year	From	To	Force	Change Rate (Periods)
Education	1976	1-Apr	31-Dec	Navy	
	1977	1-Jan	31-Dec	Navy	0.50
	1978	1-Jan	31-Dec	Navy	0.25
	1979	1-Jan	31-Dec	Navy	0.50
	1980	1-Jan	31-Dec	Navy	0.25
	1981	1-Jan	21-Jul	Navy	0.50
		22-Jul	31-Dec	Navy	0.25
	1982	1-Jan	30-Jun	Navy	0.50
		1-Jul	21-Sep	Army	0.75
		22-Sep	31-Dec	Navy	0.75
	1983	1-Jan	31-Dec	Navy	0.75
Social Welfare and Labor	1976	1-Apr	31-Dec	Army	
	1977	1-Jan	31-Dec	Army	0.63
	1978	1-Jan	31-Dec	Army	0.63
	1979	1-Jan	31-Dec	Army	0.50
	1980	1-Jan	31-Dec	Army	0.38
	1981	1-Jan	21-Jul	Army	0.38
		22-Jul	31-Dec	Army	0.11
	1982	1-Jan	30-Jun	Army	0.78
		1-Jul	21-Sep	Army	0.67
		22-Sep	31-Dec	Army	0.43
	1983	1-Jan	31-Dec	Army	0.63
Budget, Finance, Industry, and Natural Resources	1976	1-Apr	31-Dec	Army	
	1977	1-Jan	31-Dec	Army	0.71
	1978	1-Jan	31-Dec	Army	0.38
	1979	1-Jan	31-Dec	Army	0.44
	1980	1-Jan	31-Dec	Army	0.44
	1981	1-Jan	21-Jul	Army	0.67
		22-Jul	31-Dec	Army	0.25
	1982	1-Jan	30-Jun	Army	0.67
		1-Jul	21-Sep	Army	0.67
		22-Sep	31-Dec	Army	0.50
	1983	1-Jan	31-Dec	Army	0.00
Agriculture, Livestock, and Trade	1976	1-Apr	31-Dec	Navy	
	1977	1-Jan	31-Dec	Navy	0.00
	1978	1-Jan	31-Dec	Navy	0.60
	1979	1-Jan	31-Dec	Navy	0.80
	1980	1-Jan	31-Dec	Navy	0.60
	1981	1-Jan	21-Jul	Navy	0.80
		22-Jul	31-Dec	Navy	0.00
	1982	1-Jan	30-Jun	Navy	0.50

	Year	From	To	Force	Change Rate (Periods)
Public Works and Transportation		1-Jul	21-Sep	Army	0.75
		22-Sep	31-Dec	Navy	0.75
	1983	1-Jan	31-Dec	Navy	0.75
	1976	1-Apr	31-Dec	Air Force	
	1977	1-Jan	31-Dec	Air Force	0.60
	1978	1-Jan	31-Dec	Air Force	0.60
	1979	1-Jan	31-Dec	Air Force	1.00
	1980	1-Jan	31-Dec	Air Force	0.60
	1981	1-Jan	21-Jul	Air Force	0.80
		22-Jul	31-Dec	Air Force	0.00
	1982	1-Jan	30-Jun	Air Force	0.80
		1-Jul	21-Sep	Army	0.60
Energy and Communications		22-Sep	31-Dec	Air Force	0.80
	1983	1-Jan	31-Dec	Air Force	0.60
	1976	1-Apr	31-Dec	Air Force	
	1977	1-Jan	31-Dec	Air Force	0.20
	1978	1-Jan	31-Dec	Air Force	0.20
	1979	1-Jan	31-Dec	Air Force	0.60
	1980	1-Jan	31-Dec	Air Force	0.60
	1981	1-Jan	21-Jul	Air Force	0.60
		22-Jul	31-Dec	Army	1.00
	1982	1-Jan	30-Jun	Army	0.50
		1-Jul	21-Sep	Army	0.75
		22-Sep	31-Dec	Army	0.75
1983	1-Jan	31-Dec	Army	0.00	

Source: authors' own elaboration on the basis of the CAL Archive.

Appendix 2 Bills and CAL Decisions, per year

Year	N Bills	Classification				Final Recommendation							Rejection Rate
		SR	NSR	Returned without Classification	Other	No Approval	No Approval with Comments	Approval	Approval with Comments	Returned with Classification	Withdrawn		
1976	280	110	140	23	4	6	3	24	74	3	3	18%	
		39%	50%	8%	1%	5%	3%	22%	67%	3%	1%		
1977	282	99	157	15	-	7	8	10	65	-	11	20%	
		35%	56%	5%		8%	9%	11%	72%		4%		
1978	264	78	147	10	-	5	3	6	54	1	29	24%	
		30%	56%	4%		7%	4%	9%	78%	2%	11%		
1979	286	100	141	12	-	1	8	9	65	-	33	28%	
		0.35%	0.49%	0.4%		1%	10%	11%	78%		11%		
1980	299	145	124	9	-	2	2	23	102	-	29	19%	
		48%	41%	3%		2%	2%	18%	79%		10%		
1981	208	108	82	13	-	1	4	17	71	1	5	26%	
		52%	39%	6%		1%	4%	18%	77%	1%	2%		
1982	193	82	105	3	-	1	-	17	53	5	3	11%	
		42%	54%	2%		1%		22%	70%	7%	2%		
1983	338	155	163	4	-	6	8	34	82	5	16	32%	
		46%	48%	1%		4%	6%	25%	61%	4%	5%		
Total	2150	877	1059	89	4	29	36	140	566	15	129	23%	
		41%	49%	4%	0.1%	4%	5%	18%	72%	2%	6%		

Source: authors' own elaboration on the basis of the CAL Archive.

Appendix 3 Number of Factions, Number of Pages, and Relative Frequencies of Different Force Controlling Sub-Commissions and Ministry

Variable	Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
N Factions	3	5	5	5.186	6	6
N Pages	3	21	45	90.69	94	3861
Different Force	0	1				
	0.42	0.58				

Source: authors' own elaboration on the basis of the CAL Archive.