

# ***Friends in High Places: Congressional Influence on the Bureaucracy in Chile***

*Agustín Ferraro*

---

---

## ABSTRACT

Chile presents a paradox for legislative studies. In most comparative research on the political power of presidents and assemblies in Latin America, the Chilean presidency is considered one of the most powerful in the region. The country's congress is seen, accordingly, as weak and lacking influence over public policy. Such evaluations, however, tend to be based on constitutional and legal faculties (that is, formal powers), and they overlook the substantial influence exerted by the Chilean Congress through informal political channels. This article analyzes literature on informal politics that shows the substantial influence of Chile's Congress on public policy; and, for comparison, presents an empirical study that adds several details to current accounts of congressional influence on the bureaucracy in Chile and describes two mechanisms of congressional influence not contemplated by recent research.

Several studies in recent years have measured and compared the relative political power of presidents and assemblies in Latin America and other regions, employing criteria specifically designed for the purpose. Among the executives, the president of Chile tends to be regarded as one of the most powerful, if not the most powerful in Latin America, and the Chilean Congress, therefore, as weak and lacking influence over public policy decisions. Such comparative measurements are typically based on constitutional and legal faculties, however; often, they do not seriously explore the possible divergence between formal powers and real political strength. Indeed, many studies do not even mention this divergence.

This study will consider two remarkable exceptions to this methodological neglect: namely the work of Lee Metcalf and Peter Siavelis, who thoroughly analyze possible discrepancies between constitutional faculties and political power in new democracies. They deal with the subject in the context of the debate over presidential systems in Latin America or Eastern Europe, and they arrive, interestingly, at completely opposite conclusions. Metcalf contends that informal sources cannot be included—at least for the moment—in the measurements of power. Siavelis regards evaluations of political power that only take into account the constitution and the laws as superficial. Siavelis bases his

position on the case of Chile, observing that the Chilean legislature has substantial influence on public policy despite the president's vast constitutional authority.

Siavelis is not the only scholar who has remarked on this Chilean paradox. Several authors have pointed out the major influence of the Chilean Congress on legislation and public policy. They agree on the informal character of this influence and also observe that a literal reading of the constitution and the laws gives the (wrong) impression that such influence does not exist. Their work, as well as the present study, belongs to a new research approach that focuses on informal politics.

A classic paper by O'Donnell (1996) can be considered the starting point for the study of Latin American informal politics. In this context, the practice of carrying out measurements of presidential and congressional powers mostly in formal terms had already been remarked—and deplored—by Weyland (2002). The research on informal politics has now been strengthened with the publication of a general theoretical approach (Helmke and Levitsky 2004, 2006a), together with several studies of specific informal political practices and institutions in Latin America (Helmke and Levitsky 2006b).

In the case of Chile, studies on informal politics provide, on the one hand, empirical evidence supporting the thesis that congressional influence on public policy exists, and that it is significant. On the other hand, some authors also describe specific informal practices and mechanisms on which this influence is based. This research has only recently begun, however, and it remains fragmentary. The present study attempts to contribute to the latter question, adding to our knowledge of mechanisms of congressional influence on the public bureaucracy in Chile. It includes an empirical study based on recent interviews.

The study adds several details to current accounts of informal congressional influence in Chile, and introduces two further mechanisms of influence not contemplated by recent research. A related but crucial question is also discussed: are these informal practices just transitory arrangements of the democratic transition in Chile, which could disappear in time; or do they represent longstanding political traditions, and should they be considered permanent features of the political system?

Interviews with 29 key informants were conducted in Santiago de Chile and in a district capital in 2005 and 2006. The interviews show the informal influence of Congress from the perspective of the public officials themselves, on whom this influence is exerted.<sup>1</sup> High-level public managers, political authorities, and medium-level officials (professionals) were interviewed. The criteria for the selection of informants are discussed at the beginning of the third section, together with certain methodological issues related to the key informant technique as employed for this research. This article concludes by discussing some

methodological consequences of the study, focusing on the question of the relationship between formal and informal sources of political power in Latin America.

## **A FORMALLY POWERFUL PRESIDENT**

Diverse studies evaluate and measure political power in Latin America and consider the case of Chile. The topic is related to the long debate on Latin American presidentialism, which will not be recapitulated here (for a recent overview, see Elgie 2005). Other general background matters, such as the stages of Chile's transition to democracy, the party system, and political coalitions in recent years, unless immediately related to the subject under discussion, will not be considered either (see recent outlines in Valenzuela and Dammert 2006; Angell 2007).

The first work to evaluate the relationship between the president and Congress after Chile's transition to democracy in 1990, was Shugart and Carey's 1992 survey of executives and legislatures in 44 countries. The authors classify the presidency of Chile as the second most powerful of all cases, after the presidency of Paraguay (Shugart and Carey 1992, 155). Even though they profess to discuss presidential power "in constitutional terms," the authors refer often to the "strength" of presidents as the result of their measurements (Shugart and Carey 1992, 148, 154, 275, 280).

Shugart and Carey evaluate presidential power in two dimensions. The first corresponds to the president's legislative powers, such as veto, authority to introduce legislation, or decree authority. The second dimension refers to nonlegislative powers, such as authority over cabinet formation, dismissal of ministers, and dissolution of the assembly. If the president has strong legislative powers, the assembly tends to be weak, particularly if these powers are entrenched (granted by the constitution), as they are in Chile.<sup>2</sup>

Legislative powers of the presidency of Chile include not only the veto but the right of exclusive introduction of all legislative proposals affecting the budget, including, of course, the budget bill itself. The budgetary powers of Chile's president are among the strongest in Latin America (Shugart and Carey 1992, 155). Therefore, according to Shugart and Carey's assessment, the Chilean Congress cannot have much autonomous influence on public policy. Because of the president's strong budgetary authority, the congress remains both "constrained in its ability to provide specific direction to policy" and to oversee policy implementation (Shugart and Carey 1992, 277).

A second evaluation of presidential power in Chile was introduced by Shugart and Mainwaring in their 1997 study of presidentialism in 21 Latin American countries. The authors categorize the presidents of Chile

and Colombia as the strongest among the “potentially dominant” in the region. In the case of Chile, this assessment is based on three powers: decree authority in fiscal matters, “strong” veto power in the same area, and the right of exclusive budgetary initiative.

Constitutional powers over legislation represent, for Shugart and Mainwaring, a crucial aspect of presidential strength, defined as “the degree of influence presidents have over policy” (1997, 40). This strength depends on two factors: the powers over legislation and the degree of control the president has over the government party, combined with the party’s intrinsic power. The first factor has a much greater impact than the second, however. For Shugart and Mainwaring, presidents with substantial powers over legislation will have influence over public policy even if the government party is weak, or even if they have no control over it (1997, 41).

The authors acknowledge that other powers, even nonconstitutional, can make a president “appear strong,” such as “the power to make appointments, the ability to persuade, or their superior access to mass media” (Shugart and Mainwaring 1997, 51). Constitutional powers over legislation, however, secure the president’s influence over critical policy areas, even in the absence of much support from legislators (Shugart and Mainwaring 1997, 51). Constitutional powers, in other words, provide a real power basis and the means to thwart congressional opposition. As the president of Chile is one of the two strongest in Latin America, according to Shugart and Mainwaring, it must be concluded again that the congress cannot have much autonomous influence on public policy.

A third measurement of presidential power in Chile was undertaken by Shugart and Haggard (2001). In contrast to the surveys discussed above, the authors distinguish between formal powers and real political strength, and avoid assuming a correlation between the two. Shugart and Haggard define presidential strength as the “ability to enact a policy agenda,” and they concede that this strength depends not only on the constitution but also on other factors, such as legislative support, public approval ratings, even idiosyncratic traits like the president’s personality. Constitutional powers only determine the extent to which the president can function as an agenda setter and a veto player; they provide a potential, which must be fulfilled with additional power factors. Although they acknowledge the conditional character of this interpretation, Shugart and Haggard declare, all the same, that their study is concerned strictly with formal powers (2001, 72). The admission that constitutional provisions do not translate automatically into political strength has no impact on the research design and methodology.

In the case of Chile, Shugart and Haggard evaluate the president’s constitutional powers as very strong (2001, 80), and rank them in the third-highest position—together with 5 other cases—out of the 23 coun-

tries considered. Sixteen of these belong to Latin America; and only the president of Argentina has, in this group, more powers over legislation. In other words, Chile's president is the second most powerful in the region. This evaluation is based on two presidential powers: the package veto and the right of exclusive introduction of legislative proposals affecting the budget.

Two other recent studies also focus on the president's ability to manipulate the legislative process and deprive Congress of autonomous influence on the public policy agenda. In a survey encompassing 26 countries, Samuels and Shugart find that only the presidents of Ecuador and Argentina have more powers over legislation than does the president of Chile (2003, 43). This assessment is based on the president's veto power and budgetary authority. The authors make clear, however, that their categorization aims only to establish which countries' presidents "ought to be, *ceteris paribus*, generally more or less powerful relative to their legislatures" (2003, 44). The phrase *ceteris paribus* implies that other sources of power exist beyond the constitution and the laws, although the authors' study is admittedly based only on the latter.

Tsebelis and Alemán (2005) evaluate the presidents of 18 Latin American countries according to their authority to affect the legislative process at its last stage, through veto and amendatory observations. Here the president of Chile ranks as the third most powerful, after the presidents of Uruguay and Ecuador.

The authors analyze three concrete cases of legislation first passed by Congress and then either amended or partially vetoed by the presidents of Uruguay, El Salvador, and Argentina. The cases, however, only illustrate and confirm the categorization of presidential powers, which is based exclusively on constitutional and legal provisions. The classification represents, according to Tsebelis and Alemán, an evaluation of presidential power per se in Latin America (2005, 417). For the authors, in other words, veto power and amendatory observations are such crucial constitutional faculties that they translate automatically into real political strength.

All of these surveys evaluate the president of Chile as one of the most powerful in Latin America, and the country's congress, accordingly, as weak and lacking autonomous influence on public policy. All evaluations are based on constitutional and legal faculties. Although some authors mention other possible sources of power, these are not seriously discussed, let alone included in the measurements.

## **THE POWER OUTSIDE THE CONSTITUTION**

In the context of studies on presidents and assemblies, two authors, Metcalf and Siavelis, have seriously considered the possible divergences

between constitutional faculties and real political power. Metcalf (2000) discusses diverse methods for measuring power in Latin America and Eastern Europe and concludes that informal power sources should not be taken into account, at least for the moment. In several studies dealing with the relationship between the president and the Congress of Chile (1997, 2000a, b, 2002, 2006), Siavelis reaches the opposite conclusion: measurements based only on formal power sources are "superficial."

Metcalf examines two major methods for the measurement of power and identifies Shugart and Carey's approach as the more precise. He acknowledges, however, a general shortcoming of all such methods: they consider only the formal dimension of politics, legal and constitutional faculties (Metcalf 2000, 683). Nevertheless, this omission is secondary, and difficult or impossible to correct, according to Metcalf, for three main reasons. The first reason is based on the methodological priority of formal powers. It is first necessary to measure constitutional and legal faculties, because these are a resource that will be either augmented or diminished by informal politics (Metcalf 2000, 663). This does not completely exclude informal powers, but it suggests postponing their treatment until the measurement of formal powers is finished.

Informal powers must be excluded from the measurement, according to Metcalf's second argument, because it is impossible to know what informal powers the presidents of Eastern European states really have (2000, 683). In many of these countries, only one or two presidents have been in office since democratization; certain forms of influence could depend on the personality of a particular president and disappear with the next one.

Metcalf's final argument is based on a thesis already discussed above, which he attributes to Shugart and Carey 1992 (Metcalf 2000, 683). According to this thesis, if the formal powers of the presidency are strong enough, the president will be able to govern without regard to Congress and even over its opposition. This thesis assumes that informal powers are relatively secondary in reality, since formal powers alone can sustain a president and defeat Congress, independently of the resources at the latter's disposal. This justifies the development of methods of measurement that only include formal powers, and the elaboration of complete surveys and comparative evaluations on this basis.

There is a clear contradiction between Shugart and Carey's thesis and Siavelis's description of the probable result of a conflict between the president and Congress in Chile. According to Siavelis, even with the strongest formal powers in Latin America, the president of Chile could not govern in the face of serious congressional opposition. This prediction is based on Siavelis's own research on informal politics in Chile.

In the several works cited here, Siavelis describes a whole informal dimension of Chilean politics. He also discusses the paradox posed by

the manifest discrepancy between the vast constitutional powers of the executive and the substantial influence of Congress on the political system (Siavelis 2002, 2006). Precisely this discrepancy shows that the constitution provides only superficial evidence of political power (Siavelis 2002, 80).

That the president of Chile has very strong constitutional powers is not an overstatement. Siavelis argues that authors like Shugart, Carey, or Mainwaring actually underestimate those powers and even ignore some of the most significant ones (Siavelis 1997, 325, 2000, 14). Even with such vast powers at their disposal, however, presidents of Chile tend to govern through a process of permanent interbranch consultation (Siavelis 1997, 351–53, 2000a, 55–57). Congress has a significant and continual influence over the legislative process by means of informal mechanisms, such as frequent meetings between legislators and executive branch officials, and other consultation channels. Informal politics gives legislators an effective voice even in areas where, according to the constitution, they are not allowed to formulate proposals; for example, finance and the budget.

Siavelis concludes that the exaggerated presidentialism of Chile's constitution does not correspond to the interbranch cooperation in political reality. Nevertheless, the president's very strong constitutional authority entails the danger that a future president might attempt to use those constitutional powers to govern without the cooperation of Congress (Siavelis 1997, 354). If such an attempt succeeded, it would reveal that interbranch cooperation depends only on presidential goodwill. According to Siavelis, however, the most probable result of such an attempt would be quite the opposite: the president would not be able to govern at all. This prediction squarely contradicts Shugart and Carey's thesis. Far from being able to govern solely on the basis of the vast constitutional powers of the office, the president would become, in Siavelis's words, "constitutionally strong yet moribund" (1997, 335).

To neutralize the constitutional powers of the president, the political influence of Congress must be based on firmly established political practices. In two of his recent contributions on the subject, Siavelis describes three main mechanisms or "avenues" of parliamentary influence in Chile (Siavelis 2002, 2006). The first corresponds to a new ministry created in 1990, soon after democratization, the *Secretaría General de la Presidencia*. The main task assigned to this department is precisely to provide for effective communication between the executive and legislative branches.<sup>3</sup> Among other activities, officials at the ministry draft the president's legislative agenda, paying careful attention to legislators' stances on particular issues and changing legislative proposals when necessary, as reported in interviews (Siavelis 2002, 103).

Frequent meetings, both formal and informal, between representatives of the executive and members of Congress are the second mecha-

nism of congressional influence described by Siavelis (2002, 104, 2006, 46). Legislators of the governing coalition often meet with ministers, undersecretaries, and high-level officials to discuss legislative proposals. These meetings create longstanding channels of communication and influence between members of the two branches.

The third avenue of parliamentary influence is based on the reality that governments in Chile, since the transition to democracy, have been formed by political coalitions. Ministerial portfolios are distributed among the coalition parties in such a way that minister and vice minister have different political affiliations. Siavelis notes that this informal rule is known in Chile as *cuoteo político*, and that it provides coalition members with a guarantee that their programmatic concerns will be incorporated into the government agenda. The same dynamic extends to the legislative arena; and if presidents attempted to dominate the legislative process, they would be accused of not respecting coalition agreements or not respecting the "spirit" of the coalition (Siavelis 2002, 107).

Siavelis is not the only author who has remarked on the strong political influence of the Congress in Chile. Nef and Galleguillos (1995) were probably the first to observe that the Chilean legislature has been able to circumvent the strict limits imposed on its power by the constitution adopted by the dictatorship in 1980, which remains in force with amendments today. Carey argues that the Chilean Congress could be weak in some regards, but it has developed the tools to be a serious player in the political arena (2000, 138). He emphasizes further the high professional level and policy expertise of legislators, and proposes that this professionalism should be considered a sign of congressional capacity and political autonomy (2002, 253).

Even relatively recently, Londregan has still assumed the executive dominance over the legislative process in Chile (2000, 31), a thesis he bases simply on the true but very unspecific notion that legislatures in Latin America do not have staff resources and research facilities like those at the disposal of the U.S. Congress. Londregan pays no attention at all to informal channels of influence, and he develops, accordingly, several spatial models assuming a factual agenda monopoly of the president (Londregan 2000, 43). Baldez and Carey (2002, 130) also postulate spatial models of the legislative process in Chile, but they emphasize that Congress regularly incorporates its preferences into executive proposals through informal channels of communication.

Other authors who stress the Chilean Congress's influence over public policy and legislation are Montecinos (2003), Nolte (2003), Huneeus and Berrios (2004), and Angell (2005). Based on key informant interviews, Huneeus and Berrios provide evidence for growing congressional influence on public policy, but also on appointments in the bureaucracy and judiciary. The study on the budgetary process under-



taken by Montecinos merits particular attention. As described above, executive budgetary authority has been the main reason to consider the president of Chile among the most powerful in Latin America. Montecinos, however, describes the role of two written but informal instruments, *glosas* and *protocolos*, which give Congress significant participation in the preparation, approval, and execution of the budget.

*Glosas* are annotations to the various budget items that specify the destination of funds; together they can amount to as much text as the budget act itself. By means of *glosas*, members of Congress are able to negotiate approval of the budget in exchange for benefits for their districts. Therefore, congressional input during the preparation and approval of the budget is not limited to the rejection or reduction of proposed spending, as a literal reading of the constitution and the laws leads one to conclude (Montecinos 2003, 20).<sup>4</sup>

*Protocolos* are political agreements signed by Congress and the finance minister, also without any sort of formal legal framework, aimed at facilitating congressional control over the execution of the budget. In accordance with the protocol accompanying the budget law of 1997, Congress receives detailed and regular information regarding the evolution of governmental expenditures, transfer of funds between departments, accounts of government corporations, and external performance evaluations. Since the protocol of 1999, government agencies inform Congress directly—without previous clearance by the executive—of measures adopted to improve performance. The protocol of 2001 introduces another important reform: congressional committees receive the executive's budget proposal two months in advance, in order to contrast the new figures with the use and performance of resources allocated the previous year, allowing the committees time to suggest detailed amendments (Montecinos 2003, 22).

All in all, ample empirical evidence has been gathered to support the thesis that the Congress of Chile has significant influence over public policy. Interview material collected by several authors shows a high consistency about this point. It is interesting that the studies by Siavelis and Montecinos focus on the field where the president's formal authority is stronger, the budgetary process. In this area, a high degree of coordination and compromise between the two branches has been revealed. Congress takes an active part in the elaboration of the budget, and the two branches control implementation together.

In any case, independent access of legislators to the state bureaucracy represents a key factor for securing congressional influence over public policy. Informal networks among legislators and public officials have been extensively described in relation to other legislative bodies with ample influence over public policy, such as the U.S. Congress or the German Bundestag.<sup>5</sup> The protocols of 1997, 1999, and 2001 confirm

that Chilean legislators are aware of this advantage; the protocols increase legislators' regular access to information and performance reports by government agencies. The protocols complement and reinforce the networks of contacts and other informal channels of communication described by Siavelis.

Siavelis makes an important point by regarding informal mechanisms of congressional influence as a recent phenomenon in Chile, a response of the elites to the difficult circumstances of the democratic transition (Siavelis 2002, 110, 2006, 55). Such informal practices are therefore potentially unstable, and, according to Siavelis, they could disappear as the dangers of the transition recede. Of course, an end to the spirit of interbranch cooperation would not mean a loss of political power for Congress. As noted earlier, for Siavelis the most probable result of an open conflict between the president and Congress would be that the latter begins to act systematically as a veto player, the president becoming thus very weak or moribund (1997, 335). Siavelis concludes that the consolidation of Chile's democracy depends on the institutionalization of informal rules of interbranch cooperation (2002, 110).

Then again, it can be shown that informal practices of congressional influence over the public bureaucracy are quite traditional in Chilean politics. They were certainly useful for dealing with the dangers of the transition. Yet it is clear that they were in force long before the last military dictatorship, as confirmed by several sources in the literature of that time. They seem to represent traditional unwritten rules of Chilean democracy and not merely, as described by Siavelis, transitory arrangements of the posttransition period.

## **FRIENDS IN HIGH PLACES**

This section is based on interviews conducted in Chile in 2005 and 2006 with 29 key informants. The use of the key informant technique (Tremblay 1957) is well established in organizational and public administration research (Kumar et al. 1993; Huber and van de Ven 1995; McNabb 2002, 85; Yeager 2006). This section describes informal mechanisms of congressional influence as perceived and reported by members of the public bureaucracy. In this context, the employment of classic research methods in public administration appears justified.

More than that, however, a crucial factor made it necessary to employ the key informant technique for this study. Some of the most effective influence mechanisms used by Chilean legislators are very much informal and not the subject of casual conversation. In some cases, informal practices violate statutory law and even constitutional law. Interviewees cannot be expected to describe their own actions, or actions undertaken by friends, that are technically illegal, unless a rela-

tionship of trust has been previously established and confidentiality is assured.<sup>6</sup> This kind of information simply cannot be obtained through structured interviews and random sampling methods.

For this research, informants were selected and contacted through "snowballing," a common device in the key informant technique, where contacts and recommendations are asked from the interviewees themselves (Yeager 2006, 913). The first informants chosen were local experts on public administration, or members of the public administration with whom a relationship of trust could be first established in the context of academic activities.<sup>7</sup> Those informants were asked to refer the interviewer to public officials with established political or management reputations, long experience of bureaucratic service, former or current positions of influence, or similar qualifications. The resulting sample of 29 informants included 5 local experts on public administration, 6 career civil servants, and 18 political appointees. Among the public officials interviewed were 5 former ministers, 2 directors of administrative divisions, 1 director of an administrative subdivision, and 1 director and 1 deputy director of government agencies, along with advisers, program directors, and middle-level officials.<sup>8</sup>

The key informant technique has been used, with some variations, by all authors who describe informal mechanisms of congressional influence on the bureaucracy in Chile, before or after the last military dictatorship. Agor (1971) and Valenzuela (1977) employed key informants under confidentiality, identifying interviewees only by their position or function, as Hecló (1977) also did.<sup>9</sup> The same procedure is followed in the present work. Siavelis conducted interviews with key informants without terms of confidentiality; his interviewees are identified by full names. Montecinos (2003) and Huneeus and Berrios (2004) conducted confidential as well as nonconfidential interviews.

### **Legislative Patronage**

The first congressional mechanism of influence over the public bureaucracy is based on the practice of informal recommendations made by members of Congress, both senators and deputies, to fill positions in the public administration; that is, political appointments. Senators and deputies who belong to the governing coalition recommend candidates for positions both in the central administration and in the regional government that corresponds to the member's electoral district. The positions belong to middle-level or higher bureaucratic levels, and the recommendations are made directly to the superior hierarchical authority that has to make the appointment.

Senators and deputies from the governing coalition make such recommendations either at the beginning of a new administration, when a

vast number of political appointees are replaced, or when a vacancy arises for some other reason.<sup>10</sup> Out of 29 key informants in Chile, 24 stated that such recommendations by members of Congress are very frequent, and are made and received as a matter of course.<sup>11</sup>

A high-level political appointee declared not only that such recommendations are frequent, but also that one of the subdirectors in her own agency had been recently appointed on the recommendation of a deputy. Two medium-level political appointees declared, with slight embarrassment, that they owed their posts to the recommendation of senators. A middle-level political appointee working for a politically strategic government agency (*servicio*) declared that all of her professional colleagues had been appointed on the recommendation of legislators.

Regarding the traditional character of legislative patronage in Chile, several sources confirm that it was a regular feature of the political system before the military dictatorship. Valenzuela (1977, 152) describes legislative patronage in some detail, based on field research conducted in 1969. A study that focuses on a key government agency, based on interviews conducted in 1967, ranks "senators and deputies" as the second most influential agent in decisions relating to personnel recruitment, directly below the agency's own governing board (Pintor 1972, 127). Agor also describes legislative patronage as one of the bases for the Chilean Senate's "rather extraordinary influence" on the political system (Agor 1971, 7, 18). Gil's study on Chile's political system analyzes the "considerable influence on personnel appointments" exerted by members of Congress over all autonomous or semiautonomous state agencies in the decades of the 1940s and 1950s (1966, 109). All these authors refer consistently to bureaucratic patronage as an informal power resource of Congress, although political parties, of course, employed, and continue to employ, this and other congressional power resources for their political strategies.

All in all, three main reasons support the observation that members of Congress have informal control over bureaucratic patronage in their capacity as such, and not only as party leaders. First, interviewees in the bureaucracy consistently refer to their own patrons or the patrons of their colleagues as "senators," "deputies," or "legislators." Second, several authors describe the control over bureaucratic patronage by members of Congress, in their capacity as such, as a longstanding political tradition in Chile. Third, the dictatorship amended the constitution in 1980 in order to reduce the political influence of Congress and strengthen presidentialism. Article 57 prohibits members of Congress from making recommendations for positions in the public bureaucracy, under penalty of being deprived of their mandates. Again, the article is specifically addressed at members of Congress in their capacity as such. Incidentally, Article 57 remains valid to this day, but is widely ignored.

## Networks of Contacts

A second mechanism of congressional influence on the bureaucracy is the development of stable networks of contacts between members of Congress and public officials. On the basis of repeated recommendations for positions in the public administration, senators and deputies group together a network of civil servants, to which they can turn to obtain information and expert advice on tasks like drafting or debating legislation and overseeing the public administration. As a former minister and current senator declared in the interviews, public officials belong to hierarchical lines; it is nonetheless well known and accepted that they will remain "connected" to the member of Congress to whom they owe their positions.

The same 24 interviewees who described the practice of legislative patronage as normal also confirmed that each member of Congress maintains independent informal networks among public officials. This was foreseeable. Then, in the next question, the interviewees were asked to estimate the extension of the network maintained by a member of Congress who has certain experience in his or her parliamentary career and therefore has a "medium" level of influence, using a hypothetical senator as an example. A total of 15 interviewees estimated that such a "typical" senator's network contains from 10 to 40 public officials, with whom the legislator has frequent contact.<sup>12</sup>

One interviewee, a senior permanent civil servant, declared that the size of the network depends on the legislator's political influence in each case. He estimated that a "very influential" senator would maintain a network of contacts with more than 80 officials in the public administration. In another of the interviews, a high-level political appointee, head of an administrative division, declared that senators make recommendations only for posts of a certain level; they would never make recommendations for middle- or lower-level positions, because they would see this as "lowering themselves." Networks of contacts correspond thus to the "hierarchies" between senators and deputies; the former perceptibly have more authority in Chile.

The recommendation of appointees for the public service thus represents much more than a personal favor without professional benefits for the work of the senator or deputy. The recommendations follow, on the contrary, a clear strategy of intelligent patronage. Members of Congress obtain from their network of contacts information and expert advice, for purposes both of administrative oversight and of formulation or debate of public policy proposals. Moreover, through their networks of contacts, members of Congress influence the process of public policy formulation from its very beginnings in informal discussions within the ministerial bureaucracy.

Networks of contacts between legislators and public officials were well documented before the military dictatorship in Chile. Agor (1971, 33) describes past service in the executive branch as a source for the “powerful connections” that support the lawmaking influence of Congress. In a study on the higher civil service at the end of the 1960s, Valenzuela (1984, 268) reports that civil servants would never lie to a congressional committee; senators and deputies had “such close contacts of their own with staff at all levels of the bureaucracy” that they could easily check information presented by agency superiors. Valenzuela and Wilde (1979, 202) report the active participation of senators and deputies in the implementation of public policy programs and the “good relations” between both groups, based on the “influence of congressmen over the hiring and promotion of civil servants.”

### **Frequent Meetings**

The influence of Congress on public policy formulation and implementation is reinforced by a third mechanism: frequent formal and informal meetings between members of congressional committees and public officials from the ministry or government agency in the same public policy field as the committee. This is one of the “avenues of influence” also described by Siavelis. Formal meetings are the result of written invitations to committee hearings, while informal meetings are sometimes fortuitous, but more often previously arranged. In any case, the informal meetings are working meetings, from which both sides expect to benefit in their work and careers.

The meetings begin at the highest bureaucratic level; it is usual for ministers to meet informally with members of the congressional committees that correspond to the same public policy area as their department. A high-level political appointee, head of a subdivision, declared that the minister in his department had a weekly working lunch with those members of the corresponding congressional committee who belonged to the governing coalition.<sup>13</sup> This lunch, added the interviewee, regularly lasted for several hours. The participants discussed the operations of the ministry, as well as its policies and legislative agenda. Finance and the budget were also discussed in such meetings, as reported by Siavelis, giving members of Congress an effective voice in this area (Siavelis 2000a, 59).

One interviewee, a former minister in the Ricardo Lagos administration (2000–2006), stated that all ministers had regular informal meetings with those members of corresponding congressional committees who belonged to the governing coalition. The meetings were held once a week, or in some cases every two weeks, and they usually involved a convivial beginning; added the interviewee, “it can be a lunch, but *onces* are also an option.”<sup>14</sup>

The practice of informal meetings began with the transition to democracy in Chile, according to the testimony of a former minister in the Patricio Aylwin administration (1990–94) and current senator. This informant stated that during his term of office, all ministers had weekly meetings with the corresponding congressional committees, a practice that had been suggested by the General Secretary of the Presidency. This account should not lead to the conclusion, however, that the initiative for the meetings comes mainly from the executive branch. On the contrary, the head of an administrative subdivision quoted above remarked that in the past few years, members of Congress have become increasingly persistent in this respect, and demand frequent meetings with ministers or vice ministers, arguing that these political authorities should consider themselves “institutional members” of the congressional committees that oversee their departments. A local expert on public administration declared, similarly, that today, as much as in the past, all ministers spend various hours every week in Valparaíso, where the Congress is located, either in formal committee hearings or in other types of working meetings with members.

Below the ministers and vice ministers, the next organizational level of the public bureaucracy comprises heads of administrative divisions and subdivisions. Among these officials, a similar pattern of frequent meetings with members of Congress can be detected. A head of division declared that he usually attends two committee meetings per week, taking part in the meetings for an hour to an hour and a half in each case. The interviewee added that “informal chats” with senators and deputies, before and after the meetings, are an interesting part of this activity. The same head of division declared that other meetings with members of Congress are also frequent, arranged outside the framework of committee hearings. The head of an administrative subdivision quoted above affirmed that every week he attends committee meetings and that “this is normal” for public officials of his rank.<sup>15</sup>

There is evidence of this practice before the last military dictatorship, but not from as many sources as for legislative patronage and networks of contacts. All the same, “regular and continuous” contact between congressional committees and executive branch officials, ministers, and their staff is reported by Agor (1971, 56) in his classic study on the Chilean Senate.

### **Specialization in Public Policy Areas**

The fourth mechanism of congressional influence over the public bureaucracy represents a structural basis for those already described, making them much more effective, or even possible, in some cases. This mechanism is the specialization of Chilean senators and deputies in

areas of public policy. Legislative specialization must not be primarily understood as expertise; it includes the acquisition of technical knowledge and insider information about a public policy area, but also the development of networks of contacts among public officials in the specific administrative bodies.

In answering questions about networks, several interviewees pointed out that legislators tend to concentrate their contacts in a particular area of public policy or, at most, two related areas. During their legislative careers, members develop or consolidate areas of specialization by serving on the committee that oversees a certain department or agency. Given the very frequent meetings between committee members and public officials, many opportunities for networking naturally arise during committee service.

In the interviews, several benefits of having an area of specialization were mentioned. A local expert on public administration remarked, for example, that having a visible area of specialization gives members of Congress "greater credibility" and more presence in the media. A senior civil servant emphasized that recommendations for positions in the public administration, made by senators or deputies, are not formally obligatory for the authority that makes the final decision on the appointment. The recommendation of technically competent personnel, added the interviewee, contributes to strengthening the legislator's reputation, giving future recommendations more chance of success.

We can assume that the relationships between members of Congress and higher-level civil servants, within networks of contacts, are characterized by mutual trust, as is normally the case for informal political relations (Hanke 1994, 424). Specialization consolidates this trust, allowing the legislator to develop a "common language," a basis of professional understanding, with public officials. Additionally, specialization gives members of Congress better prospects of being designated minister or vice minister after their terms of office, given that portfolio allocation, in Chile, also depends on the ability of parties to present political personnel with acknowledged expertise in the portfolio area. In other words, specialization does not represent merely an individual concern. Political parties benefit directly, in different ways, from their members' specialization in public policy areas.

Such benefits are particularly important in a coalitional context. Coalition models (Laver and Shepsle 1990) describe the credibility of public policy proposals as a strategic political asset. This credibility depends on the assignment of portfolios or subportfolios, inside a coalition, to the party credited with specialization in the area (Laver and Shepsle 1990, 885). By means of their association with public policy areas, in other words, political parties improve their chances of obtaining portfolios, with relative independence from their electoral performance (Heinrich 1999, 128).



It is important to consider that, since the transition to democracy in 1990, governments have been formed in Chile by coalitions consisting of at least four parties. After the elections, the formation of the government is preceded by the usual portfolio negotiation, in which the names of ministers and vice ministers are decided. The negotiation of appointments extends also to management positions in the public bureaucracy—heads of divisions, subdivisions, and government agencies. To acquire a better starting point for the negotiation process, political parties naturally tend to develop a strategy of concentration of resources in certain public policy fields. Resources include inside information, specialized personnel, and networks of contacts acquired by senators and deputies through the process of specialization described above.

The Party for Democracy (PPD) represents an interesting case of party specialization in Chile. The party embraces a conspicuous post-materialist approach (Poguntke 1993, 204), concentrating on unconventional areas of policy specialization with high symbolic value, such as ecology, human rights, gender issues, and the defense of cultural minorities (Heinrich 1999, 129). The PPD identifies these issues as its “civic agenda” (PPD 2006).

Several interviewees remarked on this focus on symbolic issues. A former minister described as typical for the PPD questions such as the environment, the fight for a divorce law, and the movement for public access to contraceptive methods. He added that these topics correspond to a political strategy “based on values.” A high-level permanent civil servant declared that the PPD is “positioned” around environmental issues and the fight against discrimination based on gender or sexual orientation. The interviewee added that a strategy of specialization on certain issues includes, as an evident corollary, the long-term endeavor to take charge of the public bodies that deal with the issues in question. He mentioned a famous case, the promotion of the morning-after pill by the Chilean Institute for Public Health. The PPD won the directorship of this agency in coalition negotiations. The issue of the morning-after pill provoked a drawn-out political confrontation, which ended with the defeat of right-wing Catholic groups traditionally opposed to the PPD.

Not only the PPD deploys this strategy. A middle-level political appointee declared that at government agencies (*servicios*) dealing with politically sensitive issues, several party leaders have been able to consolidate a successful “social leadership.” The interviewee mentioned as an example Soledad Alvear and the National Women’s Service. Alvear led this public body in the fight against gender discrimination, something that never had been done before. She became, as a result, a national political figure and one of the foremost leaders of the Christian Democratic Party. In this case, successful individual specialization added

a political issue, or range of issues, to the party's agenda, besides a special hold on the corresponding public body.

It seems clear that the specialization of individual members of Congress in public policy areas and party specialization are functionally related; they reinforce each other. Party specialization, however, seems to be a relatively new phenomenon in Chile, not mentioned by the literature before the last military dictatorship. This is the case in other countries as well: studies on party specialization begin at the end of the 1980s, after all, and define this strategy precisely as "new politics" (Poguntke 1987; Müller-Rommel 1989).

In contrast, the individual specialization of members of Congress in specific public policy fields is fully discussed by the literature from before the last military dictatorship. Agor (1971, 99, 150) analyzes individual specialization as a consequence of committee membership in the Senate. He considers the level of specialization in public policy areas to have been "quite high and comparable to that of top committees in the U.S. Senate." (Agor 1971, 99). Valenzuela mentions that members of Congress tended to have influence over particular departments or agencies in the central administration. Even in the opposition, members of Congress retained thus "a good deal of influence" over civil servants with whom they had worked earlier in specific public policy areas (Valenzuela 1977, 151).

### **The *Cuoteo Político***

Party specialization in public policy areas implies the long-term strategy of acquiring influence over the administrative bodies responsible for those areas. Influence on the bureaucracy, however, is rigorously controlled by coalition partners. As described by one of the former ministers interviewed, if the post of minister is assigned to one party, the post of vice minister must be assigned to another party of the coalition. One of the local experts on public administration interviewed stated that since the government of Aylwin, the first after the transition to democracy, this informal rule, known as the *cuoteo político*, has been strictly observed.<sup>16</sup> The rule is well known in parliamentary systems and has been described on various occasions in relation to coalition governments in Germany, where it is called *Kreuzstichverfahren* (cross-stitch procedure) (Schulze-Fielitz 1984, 83; Hanke 1994, 423).

The proportional and crossover allocation of posts reaches all superior levels of the public bureaucracy in Chile. According to Hanke (1994, 423), the practice of the cross-stitch provides more differentiation to the principle of separation of powers. Its working in Chile is consistent with Hanke's observation, given that in spite of party specialization, the *cuoteo político* hinders the creation of state fiefdoms over which coali-

tion partners have no oversight. The cross-stitch procedure represents, for each party, an effective guarantee of control over the government, as it secures the presence of the party's own political staff even in areas in which the party invests fewer resources in specialization. Legislative patronage and the cross-stitch rule do not contradict each other: in recommending a candidate for a bureaucratic post, every member of Congress is obviously aware of the need to respect the rule. Thus, informal mechanisms of congressional influence and coalition rules are part of an integrated political system. Parties control the coalition agreements by diverse means, among others the informal powers at the disposal of their members in Congress.

The *cuoteo político* was noted as a feature of Chile's government formation at the time of the Unidad Popular (1971–73) (Landsberger and McDaniel 1976, 531). Furthermore, at that time, *cuoteo político* already belonged to the “traditional practices” of Chilean politics (Tapia-Videla 1977, 472).

## DISCUSSION AND COMPARISON

We have described four informal mechanisms of congressional influence on the bureaucracy in Chile: legislative patronage, networks of contacts, frequent meetings between members of Congress and public officials, and specialization of senators, deputies, and parties in public policy areas.<sup>17</sup> A fifth informal practice is the *cuoteo político*. The *cuoteo* is not employed, however, for Congress to exert influence on the bureaucracy. Instead, it works as a mechanism of mutual control between coalition partners.

Although the *cuoteo político* has a direct relationship to the mechanisms of congressional influence, it is not one of them, and therefore is not included in the list above. This is one of the issues on which the present account distances itself from that of Siavelis. For Siavelis, congressional influence and coalition politics belong to the same dynamic; both phenomena share the same “spirit” (Siavelis 2002, 107). Here, in contrast, coalition practices and mechanisms of congressional influence are more sharply distinguished. *Cuoteo político* is the case in point: a fundamental instrument for negotiating, signing, and implementing coalition agreements, it does not by itself add to congressional influence over the bureaucracy. Of course, every member of Congress needs to take into account the rules of *cuoteo político* when making recommendations for bureaucratic appointments. Middle-level and higher management positions must be allocated proportionally among the coalition parties. The *cuoteo político* thus establishes limits to legislative patronage, such that an influential member of Congress or a political party cannot reach a monopoly or hegemony over a particular department or

other public institution. Therefore, this informal rule guarantees a more plural and democratic bureaucracy. It is not, however, a mechanism of congressional influence *per se*.

All in all, Siavelis's account includes three main informal "avenues" of congressional influence: frequent meetings and networks of contacts, which he describes as one single integrated practice; and *cuoteo político* (Siavelis 2002, 2006). In the present account, the first two mechanisms are described separately, *cuoteo político* is not considered a mechanism of congressional influence, and two further mechanisms are included: legislative patronage and specialization in public policy areas.

A second difference between Siavelis's discussion and the present work turns on the issue of whether the mechanisms of congressional influence represent only political compromises of the transition or established, traditional political practices. On this question depends the stability of interbranch cooperation and, as a result, of the whole Chilean political system. For Siavelis, informal practices of congressional influence must be regarded as a response of the elites to the difficult circumstances of the democratic transition; and therefore they could disappear as the dangers of this period recede (Siavelis 2002, 110, 2006, 55).

In the present account, the discussion of each mechanism of congressional influence was followed by a brief review of literature on Chile's political system before the military dictatorship 1973–1990. Several authors describe, in each case, legislative patronage, congressional networks of influence, legislative specialization in public policy areas, and *cuoteo político*. Public officials' frequent attendance at congressional committee meetings was reported only by Agor (1971, 56), but his work represents, in any event, the most thoroughly researched study on the Chilean Senate before the dictatorship. All authors describe such informal practices, either implying or explicitly stating their traditional character, already well established at that time; none of them ever assumes that these were transitional arrangements of a particular period. That literature and the current strength of the same practices confirm that they are basic unwritten rules of Chilean democracy, part of its "informal constitution," as Schulze-Fielitz (1984) puts it. They are far from being solely temporary arrangements of the democratic transition.

Informal arrangements were undoubtedly useful to deal with the dangers of the transition, but this cannot be the reason that they were followed and respected before the military dictatorship or nowadays. Informal practices have shown themselves, on the contrary, to be much more stable and authoritative than some constitutional "innovations" introduced by the military. As a consequence, formal and informal political powers diverge in Chile, in some cases widely.

## CONCLUSIONS

The presence of a strong congressional influence on the bureaucracy goes against basic assumptions embedded in many studies of presidential systems. As Willoughby points out, the president is generally regarded as being the custodian of administrative authority, although this belief has no basis in the constitution and even less in public administration theory. It is a misconception, probably due to the unfortunate use of the words *executive* and *administrative* almost interchangeably in the U.S. political vocabulary (Willoughby 1913, 155, 1934, 115). The tendency to assign all power over administrative matters to the president—and assume this, moreover, as a given—affects public administration in the United States to this day (Rosenbloom 2000).<sup>18</sup> It is deeply rooted, of course, in the study of Latin American presidential systems. The same belief—namely, that the president should be the custodian of administrative authority—and the tendency to assume this as a given affect the study of Latin American politics, perhaps even more strongly than in the U.S. case.

Chile has been ruled by a presidential constitution at least since 1925. Powerful and, for the most part, informal mechanisms of congressional influence on the bureaucracy are, nevertheless, also long established in the political system. The military dictatorship was determined to eliminate this congressional influence in the new “controlled” democracy after the transition. The constitution was appropriately amended in 1980, introducing, among other things, the clause that prohibits members of Congress from making recommendations for positions in the public administration, under penalty of being deprived of their mandates (Article 57). The intention was to render the presidential power to appoint public officials in practice—not only in form—exclusive. The military, however, lost control over the transition after being defeated in the 1988 plebiscite, and Chile’s traditional democratic parties were able to assume power, as a coalition, in 1990. Time-honored political practices were renewed as a matter of course, and the new constitutional prohibitions discreetly ignored.

Asked about the practice of legislative patronage in Chile, a former minister and current senator not only referred sternly to the still valid constitutional prohibition, but also took a copy of the constitution from his library and read, in a solemn voice, Article 57. Then he added, with a smile, that if this prohibition were ever applied, “most members of Congress would be out.” This interviewee was not the only one who described such recommendations as a normal practice; 24 out of 29 interviewees confirmed the point. It is rather paradoxical, of course; evidence about the political power of the president, provided by the constitution, is not only superficial, as defined by Siavelis, but actually misleading.

The *cuoteo político* is another political practice that runs contrary to the constitution. It violates Article 32, which grants the president exclusive power to appoint public officials. Indeed, even the most important cabinet appointments are subject to negotiation between coalition partners under the cross-stitch rule, a political reality that the president cannot and probably does not want to ignore. The constitution, furthermore, bans the Senate from overseeing the government (Article 49), a prohibition widely disregarded by the political actors. In the coalitional context of Chilean politics, where party leaders often serve as senators, this prohibition, also introduced by the military dictatorship, has become irrelevant. The Senate controls the government by means of informal mechanisms, or, indeed, shares the operational direction of the government, the constitutional prohibition notwithstanding.

That these informal practices go against the constitution seems to confirm Metcalf's thesis on the methodological priority of formal powers (2000, 663). For Metcalf, constitutional and legal faculties must be measured first and foremost, because these are the basic resources, to be either augmented or diminished by informal powers. This point is debatable, however. In the first place, the constitutional prohibition of legislative patronage in Chile came historically much later than the informal practice itself. The prohibition is a failed attempt, introduced in 1980 and never enforced, to terminate this practice, records of which date as far back as the 1940s (Gil 1966, 109). The methodological priority, if any, corresponds to the informal practice in this case. Legislative patronage is the political resource that the constitution—unsuccessfully—attempts to diminish. Exactly the same thing happened when the Senate was prohibited from overseeing the government: a failed attempt by the military dictatorship to diminish a political resource available to Congress. Similar situations are not difficult to imagine, and not only in Chile. Therefore, to assign methodological priority to the formal powers, as Metcalf suggests, is completely arbitrary.

In the second place, not all informal practices described in the present study go against the constitution or diminish the president's formal powers. Many of them have no direct relationship to presidential powers. Networks of contacts and frequent meetings between members of Congress and public officials do not violate the constitution, of course, and do not diminish any formal power of the president. The constitution does not assign an exclusive right of public policy formulation to the president; no constitution, however presidential it may be, does such a thing. The right of exclusive introduction of budgetary initiatives is not actually violated if representatives of the executive and members of Congress agree on those initiatives, in practice, before the president introduces them. A study based exclusively on the constitution and the laws, however, must assume that Congress has no voice in budgetary matters, a common mistake.

Only with reference to the Senate could it be said that networks of contacts and frequent meetings violate Article 49 of the constitution, if they are used to control the government, which they are. Then again, “not to be controlled by the Senate” was never taken seriously as a formal power of the president in Chile; everybody knows that this was another clumsy attempt by the military to undermine Congress. As regards the fourth practice on the list, the specialization of individual members of Congress and political parties in public policy areas, this has no relationship to the written constitution at all.

In summary, only legislative patronage and *cuoteo político* clearly contradict the constitution and actually diminish the president's formal powers. The former represents, indeed, a case of extreme divergence between formal and informal political powers in Chile. A constitutional clause that reinforces the executive power, the prohibition of legislative patronage, must be regarded instead as a testimony to the strength of this informal practice. The constitutional prohibition was introduced by the military precisely because legislative patronage is a significant power resource of the Congress in Chile. It is a paradox, certainly, that poses difficulties for political science, particularly if the research methodology gives excessive weight to formal rules, as has been criticized in the field of Latin American studies by, among others, O'Donnell (1996), Weyland (2002, 66), and Helmke and Levitsky (2006a).

Informal political practices have been either neglected in the literature or, particularly in the case of new democracies, researched with a focus on their suspicious or criminal nature, as pointed out by Helmke and Levitsky (2006a, 8). These authors refer to the many studies that highlight how corruption, clientelism, and patrimonialism undermine the effectiveness of democratic, state, and market institutions (Helmke and Levitsky 2006a, 8). Many informal activities are wicked, to be sure, and play a role in politics. Then again, informal practices can contribute positively to the political system, as they do in Chile; for example, by strengthening checks and balances, encouraging politicians' specialization in public policy areas, and providing a consensual basis for decisions on public policy. All in all, a significant part of every political constitution is informal (Schulze-Fielitz 1984). The real political power of presidents and legislatures cannot be compared, let alone measured, solely on the basis of the constitution and other written norms. For certain crucial aspects of political life, the written constitution can be superficial, or even downright misleading.

## NOTES

Years ago in London, George Philip suggested to me that I study parliamentary controls of the bureaucracy from the perspective of the bureaucracy

itself. I would like to thank him for the suggestion, which I have attempted to follow ever since, and particularly here. For helpful comments and suggestions about earlier versions of this work I would like to thank Manuel Alcántara, Detlef Nolte, Ana María Mustapic, Alan Angell, and Brett Hagerman. Special thanks to the referees of *LAPS* for their thoughtful criticisms and suggestions. The Spanish Secretaría de Estado de Universidades e Investigación (SEJ2004-08149-C02-02) financed the research.

1. The perception of congressional influence by public bureaucrats represents a real power factor which cannot be “wrong” as such, in contrast to the perception of their own influence by members of Congress. If public managers and employees believe that members of Congress are influential enough to support their careers (as will be shown to be true in Chile), they will try to comply as much as possible with the legislators’ requirements.

2. Nonentrenched legislative powers are delegated to the president by the assembly, which therefore has the possibility of supervising their use, so that the assembly does not lose power or influence; the president only acts as its agent. In contrast, entrenched legislative powers are granted by the constitution to the executive; and in this case, Shugart and Carey contend that the assembly’s power and influence diminish (1992, 277).

3. Of course, a department is a formal institution, described as such by Siavelis. To promote interbranch cooperation, however, the Secretaría regularly supports and encourages informal channels of communication between legislators and representatives of the executive branch.

4. In his classic study on the Chilean Congress, Valenzuela (1977, 155) describes “vertical brokerage networks,” maintained by legislators through the provision of particularistic benefits for their districts, especially public works. The constitutional amendment of 1969 attempted to terminate this practice, giving the president the right of exclusive introduction of legislative proposals affecting the budget. Nevertheless, as described by Montecinos, the legislative provision of particularistic benefits continues by means of the *glosas*. This is not the only political practice that continues to exist informally after being formally abolished.

5. For the U.S. Congress, see Kaufman 1981, 168; Aberbach et al. 1981, 235; Aberbach 1990, 90. For the Bundestag see Goetz 1997, 769; Schwarzmeier 2001, 214, 222.

6. The model for this approach is Hecló’s classic study (1977) on the U.S. federal government. Hecló bases his study on interviews with key informants, including confidentiality. The defining trait of key informants is that they are not randomly chosen but selected because of their knowledge of the field under study—knowledge acquired through personal experience, contacts, or other means available to insiders (Tremblay 1957; Yeager 2006, 854).

7. Local experts on public administration are widely employed as informants in business reports and studies on public bureaucracies, an approach that was reworked and applied to the study of bureaucratic structures in less-developed countries by Evans and Rauch (1999).

8. Three of the former ministers were members of the Senate at the time of the interviews.

9. Valenzuela combines in his study both structured interviews with local officials and members of Congress and unstructured interviews with selected



informants. The latter, of course, provide the specific evidence for informal practices (see Valenzuela 1977, 153, 1984, 279, n. 46). Agor also bases his description of informal rules in the Senate on interviews with confidential informants (1971, 145). His interviews with senators, moreover, include large segments in which senators are interrogated as key informants; that is, they speak under confidentiality and report not only personal experiences but their knowledge of general unwritten rules and practices (Agor 1971, 51, 54–55, 56, 108).

10. A well-known local expert on public administration (Valdés 2003) estimates that 3,500 top- and middle-level positions in the central state bureaucracy are politically appointed.

11. None of the other five interviewees denied that this practice exists; three of them preferred not to reply. In one case, the question was not asked. One more interviewee, a local expert on public administration, affirmed that members of Congress have influence on appointments not in this capacity but because they are party leaders. It is worth mentioning that another interviewee, a former minister and current senator, declared that a party leader will lack influence if he or she is not a member of Congress. In any case, informants referred consistently to recommendations made by “senators” or “deputies.” In other words, legislators’ control of bureaucratic patronage in their capacity as members of Congress was very much present in the interviewees’ perception. Control over bureaucratic patronage by members of Congress—in their capacity as such—is a well-documented political tradition in Chile.

12. Of the nine remaining interviewees who replied positively to the questions about patronage and networks, three estimated that such networks contained up to ten civil servants, whereas six interviewees declined to estimate the size of an average network “due to the great variety of cases.”

13. Administrative subdivisions are called *departamentos* in Chile. Divisions and subdivisions are the main operational units of the Chilean line administration, directly below the positions of minister and vice minister. Several semi-independent government agencies, called *servicios*, constitute the decentralized administration.

14. Chilean *onces* correspond roughly to the tradition of afternoon tea in Britain.

15. A brief comparative reference is instructive here. Key informant interviews conducted in Argentina in 2005 and 2006 show that ministers and other political authorities meet with their corresponding committees on average once a year, and that these meetings are protocolar occasions—not working meetings. For their part, senior bureaucrats, such as directors of administrative divisions or subdivisions, reported that they attended committee meetings very rarely, again on average once a year. Legislators and members of legislative staff declared that repeated invitations for public officials to attend committee meetings go repeatedly unanswered.

16. After the transition to democracy, the *cuoteo político* was first described by Rehren (1992). Rehren defines the rule as horizontal integration. Based on datasets on party affiliation of ministers and undersecretaries, Altman (2004) has confirmed the strength of the rule of horizontal integration at the cabinet level since 1990. Although during the administration of Eduardo Frei (1994–2000) the rule was slightly less respected—Frei being something of an outsider to the political system—under the next president, Lagos, the rule was again strictly applied.

17. A brief discussion of terminology seems appropriate at this point. It would have been pointless earlier, before the object to be named had been described. Informal mechanisms of congressional influence have been called “practices” in this work. Practices are frequently repeated actions subject to unwritten rules. The rules themselves can be characterized as “informal institutions,” according to the definition proposed by Helmke and Levitsky (2006a, 5): “We define informal institutions as *socially shared rules, usually unwritten, that are created, communicated and enforced outside officially sanctioned channels*” [emphasis in the original].

18. In political science, however, an influential perspective, first developed in the 1980s, supports the thesis of congressional dominance over the U.S. bureaucracy (Fiorina 1981; Weingast 1981). Studies in this line of research focus on institutional arrangements designed by Congress to decrease monitoring costs while nonetheless effectively curbing bureaucratic discretion (Weingast and Moran 1982; McCubbins et al. 1987).

## REFERENCES

- Aberbach, Joel. 1990. *Keeping a Watchful Eye*. Washington, DC: Brookings Institution.
- Aberbach, Joel, Robert Putnam, and Bert Rockman. 1981. *Bureaucrats and Politicians in Western Democracies*. Cambridge: Harvard University Press.
- Agor, Weston. 1971. *The Chilean Senate: Internal Distribution of Influence*. Austin: University of Texas Press.
- Altman, David. 2004. Political Recruitment and Candidate Selection in Chile (1990–2003): The Executive Branch. Paper presented at the conference “Pathways to Power: Political Recruitment and Democracy in Latin America,” Wake Forest University, April 2–4.
- Angell, Alan. 2005. Democratic Governability in Chile. Paper presented at the conference “Democratic Governability in Latin America,” University of Notre Dame, October 7–8.
- . 2007. *Democracy After Pinochet: Politics, Parties and Elections in Chile*. London: Institute for the Study of the Americas.
- Baldez, Lisa, and John Carey. 2002. Budget Procedure and Fiscal Restraint in Posttransition Chile. In *Presidents, Parliaments, and Policy*, ed. Stephan Haggard and Matthew McCubbins. New York: Cambridge University Press. 105–48.
- Carey, John. 2000. Review of *The President and Congress in Postauthoritarian Chile* by Peter Siavelis. *Journal of Interamerican Studies and World Affairs* 42, 4 (Winter): 136–39.
- . 2002. Parties, Coalitions, and the Chilean Congress in the 1990s. In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. Cambridge: Cambridge University Press. 222–53.
- Elgie, Robert. 2005. From Linz to Tsebelis: Three Waves of Presidential/Parliamentary Studies? *Democratization* 12, 1: 106–22.
- Evans, Peter, and James Rauch. 1999. Bureaucracy and Growth: A Cross-National Analysis of the Effects of “Weberian” State Structures on Economic Growth. *American Sociological Review* 64, 5: 748–65.

- Fiorina, Morris. 1981. Congressional Control of the Bureaucracy: A Mismatch of Incentives and Capabilities. In *Congress Reconsidered*, 2nd ed., ed. Lawrence Dodd and Bruce Oppenheimer. Washington, DC: Congressional Quarterly Press. 332–48.
- Gil, Federico. 1966. *The Political System of Chile*. Boston: Houghton-Mifflin.
- Goetz, Klaus. 1997. Acquiring Political Craft: Training Grounds for Top Officials in the German Core Executive. *Public Administration* 75 (Winter): 753–75.
- Hanke, Christian. 1994. Informale Regeln als Substrat des parlamentarischen Verhandlungssystems. *Zeitschrift für Parlamentsfragen* 25, 3: 329–46.
- Hecko, Hugh. 1977. *A Government of Strangers: Executive Politics in Washington*. Washington, DC: Brookings Institution Press.
- Heinrich, Gudrun. 1999. Der kleine Koalitionspartner in den Ländern. In *Hinter den Kulissen von Regierungsbündnissen*, ed. Roland Sturm and Sabine Kropp. Baden-Baden: Nomos. 120–45.
- Helmke, Gretchen, and Steven Levitsky. 2004. Informal Institutions and Comparative Politics: A Research Agenda. *Perspectives on Politics* 2, 4: 725–40.
- . 2006a. Introduction. In Helmke and Levitsky 2006b. 1–30.
- Helmke, Gretchen, and Steven Levitsky, eds. 2006b. *Informal Institutions and Democracy: Lessons from Latin America*. Baltimore: John Hopkins University Press.
- Huber, George, and Andrew van de Ven, eds. 1995. *Longitudinal Field Research Methods: Studying Processes of Organizational Change*. Thousand Oaks: Sage.
- Huneus, Carlos, and Fabiola Berrios. 2004. El Congreso Nacional chileno. Manuscript. <[www.cerc.cl/Publicaciones/El%20Congreso%20Nacional%20chileno.pdf](http://www.cerc.cl/Publicaciones/El%20Congreso%20Nacional%20chileno.pdf)> Accessed April 1, 2007.
- Kaufman, Herbert. 1981. *The Administrative Behavior of Federal Bureau Chiefs*. Washington, DC: Brookings Institution Press.
- Kumar, Nirmalaya, Louis Stern, and James Anderson. 1993. Conducting Interorganizational Research Using Key Informants. *Academy of Management Journal* 36, 6: 1633–51.
- Landsberger, Henry, and Tim McDaniel. 1976. Hypermobilization in Chile, 1970–1973. *World Politics* 28, 4: 502–41.
- Laver, Michael, and Kenneth Shepsle. 1990. Coalitions and Cabinet Government. *American Political Science Review* 84, 3: 873–90.
- Londregan, John. 2000. *Legislative Institutions and Ideology in Chile*. Cambridge: Cambridge University Press.
- McCubbins, Matthew, Roger Noll, and Barry Weingast. 1987. Administrative Procedures as Instruments of Political Control. *Journal of Law, Economics, and Organization* 3, 2: 243–77.
- McNabb, David. 2002. *Research Methods in Public Administration and Non-profit Management: Quantitative and Qualitative*. Armonk: M. E. Sharpe.
- Metcalf, Lee. 2000. Measuring Presidential Power. *Comparative Political Studies* 33, 5: 661–85.
- Montecinos, Veronica. 2003. Economic Policy Making and Parliamentary Accountability in Chile. Geneva: United Nations Research Institute for Social Development (UNRISD). <[www.unrisd.org/unrisd/website/document.nsf/d2a23ad2d50cb2a280256eb300385855/afa3585f2764bf98c1256f010023b686/\\$FILE/montecin.pdf](http://www.unrisd.org/unrisd/website/document.nsf/d2a23ad2d50cb2a280256eb300385855/afa3585f2764bf98c1256f010023b686/$FILE/montecin.pdf)> Accessed April 1, 2007.

- Müller-Rommel, Ferdinand, ed. 1989. *New Politics in Western Europe*. Boulder: Westview Press.
- Nef, Jorge, and Nibaldo Galleguillos. 1995. Legislatures and Democratic Transitions in Latin America: The Chilean Case. In *Legislatures and the New Democracies in Latin America*, ed. David Close. Boulder: Lynne Rienner. 113–35.
- Nolte, Detlef. 2003. El congreso chileno y su aporte a la consolidación democrática en perspectiva comparada. *Revista de Ciencia Política* 23 (2): 43–67.
- O'Donnell, Guillermo. 1996. Another Institutionalization: Latin America and Elsewhere. Kellogg Institute Working Paper 222. Notre Dame: Kellogg Institute.
- Partido por la Democracia (PPD). 2006. Nuestra historia. <[www.ppd.cl/nuestra.html#5](http://www.ppd.cl/nuestra.html#5)> Accessed April 1, 2006.
- Pintor, Rafael. 1972. Development Administration in Chile: Structural, Normative, and Behavioral Constraints to Performance. Ph.D. diss., University of North Carolina, Chapel Hill.
- Poguntke, Thomas. 1987. New Politics and Party Systems: The Emergence of a New Type of Party? *West European Politics* 10, 1: 76–88.
- . 1993. Der Stand der Forschung zu den Grünen. Zwischen Ideologie und Empirie. In *Stand und Perspektiven der Parteienforschung in Deutschland*, ed. Oskar Niedermayer and Richard Stöss. Opladen: Westdeutscher Verlag. 187–210.
- Rehren, Alfredo. 1992. Liderazgo presidencial y democratización en el Cono Sur de América Latina. *Revista de Ciencia Política* 14, 1: 63–87.
- Rosenbloom, David. 2000. *Building a Legislative-Centered Public Administration*. Tuscaloosa: University of Alabama Press.
- Samuels, David, and Matthew Shugart. 2003. Presidentialism, Elections and Representation. *Journal of Theoretical Politics* 15, 1: 33–60.
- Schulze-Fielitz, Helmuth. 1984. *Der informale Verfassungsstaat. Aktuelle Beobachtungen des Verfassungslebens der Bundesrepublik Deutschland im Lichte der Verfassungstheorie*. Berlin: Duncker & Humboldt.
- Schwarzmeier, Manfred. 2001. *Parlamentarische Mitsteuerung. Strukturen und Prozesse informalen Einflusses im Deutschen Bundestag*. Wiesbaden: Westdeutscher Verlag.
- Shugart, Matthew, and John Carey. 1992. *Presidents and Assemblies*. Cambridge: Cambridge University Press.
- Shugart, Matthew, and Scott Mainwaring. 1997. Presidentialism and Democracy in Latin America: Rethinking the Terms of the Debate. In *Presidentialism and Democracy in Latin America*, ed. Mainwaring and Shugart. New York: Cambridge University Press. 12–54.
- Shugart, Matthew, and Stephan Haggard. 2001. Institutions and Public Policy in Presidential Systems. In *Presidents, Parliaments and Policy*, ed. Haggard and Mathew D. McCubbins. Cambridge: Cambridge University Press. 64–104.
- Siavelis, Peter. 1997. Executive-Legislative Relations in Post-Pinochet Chile: A Preliminary Assessment. In *Presidentialism and Democracy in Latin America*, ed. Scott Mainwaring and Matthew S. Shugart. New York: Cambridge University Press. 321–62.

- . 2000a. *The President and Congress in Post-Authoritarian Chile: Institutional Constraints to Democratic Consolidation*. University Park: Pennsylvania State University Press.
- . 2000b. Disconnected Fire Alarms and Ineffective Police Patrols: Legislative Oversight in Postauthoritarian Chile. *Journal of Interamerican Studies and World Affairs* 42, 1 (Spring): 71–98.
- . 2002. Exaggerated Presidentialism and Moderate Presidents: Executive/Legislative Relations in Chile. In *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif. Cambridge: Cambridge University Press. 79–113.
- . 2006. Accommodating Informal Institutions and Chilean Democracy. In Helmke and Levitsky 2006b. 33–55.
- Tapia-Videla, Jorge. 1977. The Chilean Presidency in a Developmental Perspective. *Journal of Interamerican Studies and World Affairs* 19, 4 (Winter): 451–81.
- Tremblay, Marc-Adelard. 1957. The Key Informant Technique: A Nonethnographic Application. *American Anthropologist* 59, 4: 688–701.
- Tsebelis, George, and Eduardo Alemán. 2005. Presidential Conditional Agenda Setting in Latin America. *World Politics* 57 (April): 396–420.
- Valdés, Santiago. 2003. Reforma del estado: ¿qué hacer ahora? *Puntos de Referencia* 271: 1–11. <[www.cepchile.cl/dms/archivo\\_3221\\_1566/pder271\\_valdes.pdf](http://www.cepchile.cl/dms/archivo_3221_1566/pder271_valdes.pdf)> Accessed June 27, 2006.
- Valenzuela, Arturo. 1977. *Political Brokers in Chile*. Durham: Duke University Press.
- . 1984. Parties, Politics, and the State in Chile: The Higher Civil Service. In *Bureaucrats and Policy Making: A Comparative Overview*, ed. Ezra N. Suleiman. New York: Holmes and Meier. 242–79.
- Valenzuela, Arturo, and Alexander Wilde. 1979. Presidential Politics and the Decline of the Chilean Congress. In *Legislatures in Development: Dynamics of Change in New and Old States*, ed. Joel Smith and Lloyd Musolf. Durham: Duke University Press. 189–215.
- Valenzuela, Arturo, and Lucia Dammert. 2006. Problems of Success in Chile. *Journal of Democracy* 17, 4: 65–79.
- Weingast, Barry. 1981. Regulation, Reregulation, and Deregulation: The Political Foundations of Agency Clientele Relations. *Law and Contemporary Problems* 44, 1: 147–77.
- Weingast, Barry, and Mark Moran. 1982. The Myth of the Runaway Bureaucracy: The Case of the FTC. *Regulation* 6, 3: 33–38.
- Weyland, Kurt. 2002. Limitations of Rational-Choice Institutionalism for the Study of Latin American Politics. *Studies in Comparative International Development* 37, 1: 57–85.
- Willoughby, William F. 1913. The Correlation of the Organization of Congress with That of the Executive. *Proceedings of the American Political Science Association* 10: 155–67.
- . 1934. *Principles of Legislative Organization and Administration*. Washington, DC: Brookings Institution Press.
- Yeager, Samuel. 2006. Classic Methods in Public Administration Research. In *Handbook of Public Administration*, 3rd ed., ed. Jack Rabin, W. Bartley Hildreth, and Gerald J. Miller. New York: Marcel Dekker. 851–980.