



RESEARCH ARTICLE

The Wrong Poster Child for Legislative Paralysis: Salvador Allende and Legislative Output in Chile, 1932–1973

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Abstract

Conflicts resulting from the dual legitimacy problem of presidential systems (where the president and the legislature are elected by different majorities) sometimes result in legislative gridlock – a point made by those who criticize the alleged perils of presidentialism. The socialist government of Salvador Allende (1970–73), that ended with the breakdown of democracy, is often used as a poster child for legislative gridlock. With information on the 23,798 bills and 12,809 laws enacted in Chile between 1932 and 1973, we compare the passage of legislation in eight presidential terms and demonstrate that not to be the case. Legislative output showed an upward trend after the 1943 constitutional reform but was on a downward trend since the mid-1960s, before the 1970 constitutional reform restricted the scope of bills that legislators could introduce. Under Allende, while 1653 bills were introduced (438 of which were presidential bills), 642 laws were passed (38.8% and 68.2%, respectively) – compared to 53.8% and 39.9% for all presidents in the period, respectively. The evidence does not justify the claim that there was legislative gridlock under Allende. Instead, variations in legislative output across presidential terms in Chile can be explained by changes in the rules of the legislative process.

Keywords: executive–legislative relations; presidentialism; legislative paralysis; legislative deadlock; minority presidents; Salvador Allende; Chile

Since Juan Linz’s argument about the dual legitimacy problem in presidential democracies – with the executive being elected by a different majority than the legislature – many studies on the breakdown of democracies and on democratic stability point to executive–legislative gridlock in presidential democracies as a potential source of instability. The confrontation between a popularly elected executive and a democratically elected legislature that respond to different mandates (either because there are no concurrent elections or because the president’s party did not achieve a majority in the legislature) has been regularly cited as an explanation for the failure of some presidential democracies and for the alleged advantages of parliamentary democracies (Linz 1990, 1994). In Linz’s words:

“Since [the president and the legislature] derive their power from the vote of the people in a free competition among well-defined alternatives, a conflict is always latent and sometimes likely to erupt dramatically; there is no democratic principle to resolve it, and the mechanisms that might exist in the constitution are generally complex, highly technical, legalistic, and, therefore, of doubtful democratic legitimacy for the electorate. It is therefore no accident that in some of those situations the military intervenes as *poder moderador*” [moderating power] (Linz 1994: 7).

The legislative paralysis resulting from the dual legitimacy problem can potentially trigger democratic instability or breakdowns. As shown below, a large body of literature has researched whether presidential systems are in fact more prone to democratic instability and parliamentary systems more likely to produce stable democracies. In this literature, the socialist government of President Salvador Allende in Chile (1970–73) is widely used as a poster child of legislative paralysis (Hobsbawm 1973; Linz 1990; Collier and Collier 1991; Shugart and Carey 1992; Przeworski 1995; Cheibub et al. 2004). Surprisingly, the claim that relates Allende’s alleged legislative gridlock to the breakdown of democracy fails to compare legislative output under Allende with that of previous Chilean presidents. Since legislative output varies across countries, intertemporal comparisons are important to determine whether a government suffered legislative paralysis. Moreover, as legislative output depends on the institutional design, changes to the legislative process rules can explain variance in legislative output across governments. We analyze legislative output under all Chilean presidents between 1932 and 1973 to test the claim that there was legislative paralysis under Allende.

After a review of the debate on the determinants of success for the president’s legislative agenda and the causes and consequences of legislative paralysis, we cite several works that refer to the Allende government as a case of legislative gridlock. We introduce a novel data set with the 23,798 presidential and legislator-initiated bills in Chile’s bicameral legislature and the 12,809 laws enacted in the period and then compare trends in the passage of legislation of all government between 1932 and 1973. After refuting the claim of legislative paralysis under Allende, we discuss the institutional set up for the lawmaking process in Chile between 1932 and 1973 to show that variations in legislative output can be accounted for changes in the rules of the legislative process.

Executive–legislative paralysis and its consequences

The debate on whether presidential democracies are more prone to democratic breakdowns – and less effective in passing legislation – has generated a wide body of literature (Shugart and Carey 1992; Jones 1995; Mainwaring and Scully 1995; Linz and Stepan 1996; Figueiredo and Limongi 2000; Tsebelis 2002; Pérez-Liñán 2003; Cheibub et al. 2004; Valenzuela 2004; Elgie 2005; Negretto 2006; Cheibub 2007; Pérez-Liñán 2007; Carey 2008; Gerring et al. 2009). The discrepancies are partially explained by the data used. While parliamentary democracies survive longer

(Cheibub 2002: 285), deadlock in presidential democracies “depend on the combination of institutional and political factors” (Cheibub 2002: 289).

Executive–legislative gridlock is grounded on institutional design (Linz 1994: 7; Krehbiel 1996: 36), but its intensity responds to political variables. Supporting Linz’s dual legitimacy argument, Colomer contends that “separate elections and divided governments create a ‘dual legitimacy’ prone to ‘deadlock,’ that is, legislative paralysis and interinstitutional contact” (Colomer 2006: 219). The interbranch confrontation can result in accommodation, constitutional breakdowns, or a permanent deadlock between the executive and legislature (Ackerman 2000: 645–47).

Several studies explain the determinants of the success of the president’s legislative agenda – or the absence of deadlock – in presidential democracies. Presidential agenda success needs to be contextualized by the conditions under which the executive operates. Variables like the type of regime, the rules for the legislative process, and the president’s seat share support in the legislature also condition how success can be measured (Saiegh 2009).

As an institutional design feature (Romer and Rosenthal 1978) agenda setting power can be positive, as in bill introduction or control of the legislative agenda (Palanza and Sin 2014; Alemán and Tsebelis 2016), or negative, when the president can block debate on a bill (Cox and McCubbins 2005). The stronger the agenda setting power, the more likely that the president’s bills will be enacted (Amorim Neto et al. 2003; Diermeier and Vlaicu 2011).

Presidents bargain with the legislature to pass bills and use their constitutional powers to advance their agenda independently of the legislature, with tools like decree power and vetoes (Mainwaring and Shugart 1997; Palanza 2018). Given their broad legislative powers, Latin American presidents can be placed between parliamentary systems – where the executive controls the legislative agenda – and the U.S. presidential system, where Congress controls it (Alemán and Tsebelis 2005).

The support for the president in the legislature affects the success of his or her agenda (Lockerbie et al. 1998; Canes-Wrone and de Marchi 2002; Barrett and Eshbaugh-Soha 2007; Saiegh 2011). Governments often attempt to make their legislative bills acceptable to the median voter in the legislature (Alemán and Calvo 2008; Chasquetti 2011; Saiegh 2011; Santos et al. 2014). Presidents can advance their legislative agendas even when they have minority support in congress (Figueiredo and Limongi 2000; Cheibub, Przeworski and Saiegh 2004: 578, Raile et al. 2011; Alemán and Calvo 2010).

Presidents with high popular approval are more successful in advancing their legislative initiatives, even if the opposition controls the legislature (Canes-Wrone and de Marchi 2001). The electoral calendar – or the point in the president’s tenure – has also been found to affect the success of the president’s agenda (Barrett and Eshbaugh-Soha 2007; Aleman and Calvo 2008). When a government nears the end of the term, it has weaker political power to advance the president’s agenda (Lockerbie et al. 1998; Canes-Wrone and de Marchi 2002; Barrett and Eshbaugh-Soha 2007; Sullivan and de Marchi 2011).

Allende as the poster child case of legislative paralysis

Many accounts on the causes of the 1973 democratic breakdown in Chile center on polarization at the elite level (Sartori 2005), the popular sector (Bermeo 2003), class tensions (Loveman 1976; Winn 1986; Salazar and Pinto 1999; Garcés 2020), the role of the United States (Petras and Morley 1975), and a combination of those variables (Joignant and Navia 2013; Collier and Sater 1996). Prevalent among the explanations is the claim that the confrontation between the leftwing reform-minded executive and the conservative and reactionary legislature tested the limits of democratic institutions (Valenzuela 1978).

In fact, the Allende government has become a poster child in the debate on the alleged perils of presidentialism. When making the widely cited claim of the dual legitimacy problem, Linz referred to Chile to justify his argument against presidential systems (Linz 1990: 52). Shugart and Carey (1992) argue that “although minority presidents were a regular phenomenon in Chile, immobilism and deadlock did not reach crisis levels until the 1970s” (Shugart and Carey 1992: 35). They argue that the case of Allende shows that “the president’s coalition could suffer a rather decisive defeat, yet the president remained in office . . . [resulting] in a serious risk of deadlock” (Shugart and Carey 1992: 203).

Suggesting that “the Allende government did not commit suicide but was murdered,” Hobsbawn wrote a column pointing that the Popular Unity (UP) “had a president legally elected on a minority vote, faced with a hostile judiciary and a parliament controlled by its enemies, which prevented it from passing *any* legislation except by permission of the opposition” (Hobsbawn 1973: 714). Miliband reckoned that

“supporters of parliamentarism always say that its operation depends upon the achievement of a certain degree of cooperation between government and opposition; and they are no doubt right. But Allende’s government was denied this cooperation from the very people who never cease to proclaim their dedication to parliamentary democracy and constitutionalism. Here too, on the legislative front, class struggle easily turned into class war” (Miliband 1973: 459–60).

In 1975, Kay pointed to an “institutional conflict between Congress and the executive” as the reason for the breakdown of democracy (Kay 1975: 10). Goldberg argued that “the institutions did not adapt but remained rigidly deadlocked and disunited” (Goldberg 1975: 100).

Valenzuela – who “established Chile as the virtual poster child for the problems of presidentialism” (Siavelis 2009: 95) – argued that “Allende as a minority president was incapable of structuring a majority coalition in the parliament . . . When the legislature balked at cooperating with the president, reacting strongly to what they viewed as a clear usurpation of executive authority” (Valenzuela 1994: 136).

In recent scholarship, the notion that Allende’s term was characterized by paralysis is taken as a given: “in some countries (Brazil between 1961 and 1964, Chile between 1970 and 1973), not a single piece of ordinary legislation is passed” (Przeworski 1995: 46), “Allende’s administration was characterized by almost constant deadlock between the branches of government” (Siavelis 2000: xii) and

“Allende had lost the support of the majority of the legislature and in a parliamentary system, he would have been voted out of office. In a presidential system, however, there was no way of replacing him except for a coup” (Mainwaring 2003: 208).

Discussing Allende, Cheibub reckons that under presidentialism, “a minority portfolio government may face a hostile legislative majority, resulting in a legislative paralysis that could not emerge under parliamentarism” (Cheibub 2007: 60). Aleman and Calvo argue that “the potential for executive-legislative gridlock in the passage of legislation has been identified as a contributing factor in various instances of democratic breakdown, such as in the cases of Chile under Allende” (Aleman and Calvo 2008: 80). Saiegh claims that “the minority coalition governing Chile from 1970 to 1973 is generally cited as a prime example of legislative impasse.” (Saiegh 2011: 168).

Cheibub et al. (2004) acknowledge that “true paralysis – the minority coalition in Chile between 1970 and 1973 is the prime example – is possible under presidentialism, but it is rare” (Cheibub et al. 2004: 578). Still, Cheibub et al. (2002) use Allende’s Chile as exemplary of legislative paralysis: “As De Vylder notes, during the next two years opposition parties ‘continued to block all bills – even the most harmless ones – presented by the government [. . .] all these factors led to an almost constant deadlock between the executive and legislative powers” (Cheibub et al. 2004: 578). De Vylder (1976: 82) literally claims that the opposition “continued to block all bills – even the most harmless ones – presented by the government, but they also tried to enforce completely new legislation: for example, a couple of ‘constitutional reforms’ to impede the extension of the state’s control of economic activity and the further carrying through of the agrarian reform were thus passed by the congressional majority during 1972.” In short, the Allende government is broadly cited as an example of legislative paralysis and as a punching bag to highlight the perils of presidentialism, although some argue that it began only in the last two years.

In seeking to make an *explicit contribution to the literature*, we follow King, Keohane, and Verba’s recommendation to “choose an accepted hypothesis in the literature that we suspect is false (or one we believe has not been adequately confirmed) and investigate whether it is indeed false or whether some other theory is correct” (1994: 16). We follow that call to challenge the widely accepted claim that Chile experienced legislative paralysis under Allende. We also offer an alternative account that associates changes in the rules of the legislative process with changes in legislative output. In what follows, we present our novel data set, discuss the rules of the legislative process in Chile and the changes to those rules that occurred between 1932 and 1973, and then argue in favor of an alternative account that associates changes in legislative output in the period to changes in the rules of the law-making process.

Was there legislative gridlock under Allende?

Using different indicators to assess legislative output, we challenge the claim that there was legislative paralysis under Allende. We measure legislative output as the number of laws enacted, the average number of laws passed per year (as

Table 1. Legislative bills introduced to the Chilean Congress by type of bill, 1932–73

Presidential term	Presidential bills		Legislator-initiated bills		Total	
	#	%	#	%	#	%
A Alessandri (1932–38)	975	40.2	1449	59.8	2424	100
Aguirre Cerda (1938–42)	555	36.4	971	63.6	1526	100
J.A. Ríos (1942–46)	554	28.7	1373	71.3	1927	100
González V. (1946–52)	935	32.6	1936	67.4	2871	100
Ibáñez (1952–58)	946	24.0	2999	76.0	3945	100
J. Alessandri (1958–64)	433	8.2	5191	91.8	5624	100
E. Frei (1964–70)	275	8.7	3553	91.3	3828	100
Allende (1970–73)	438	30.0	1215	70.0	1653	100
Total	5,111	22.6	18,687	77.4	23,798	100

Source: Authors using *Diarios de Sesiones* from the Library of Congress of Chile.

presidential terms had different lengths), laws enacted as a percentage of bills introduced, and laws passed as a percentage of presidential bills introduced.

To compare legislative output under Allende with that of previous presidents, we searched for all bills introduced and laws enacted between December 24, 1932 (the first day of the Arturo Alessandri presidency) and September 11, 1973 (the last day of Allende's). Since they are numbered consecutively, we easily identified all laws passed in the period: 12851. We obtained information on all the titles and contents of the laws from the Library of Congress. Unfortunately, we found no records for 41.4% of the laws (most of these laws are likely about particularistic pension benefits – as we discuss below).

Bills can be introduced by the president (*mensajes*) or legislators (*mociones*). We reviewed the daily logs of Congress – *diarios de sesiones* – and identified 5,111 presidential bills and 18,687 legislative bills, for a total of 23,798 bills introduced. To check the accuracy of our count, we also reviewed a set of documents prepared, at an undetermined date, by the Library of Congress. The documents are comprised of index cards – labeled *Labor Presidencial* – with information on relevant interactions between the president and congress for 5 of the 8 presidents in the period (excluding Aguirre Cerda, Ríos, and González Videla). Those cards include information on annual speeches, cabinet, and ambassador nominations, emergency decrees and presidential bills introduced. Our data set has more bills than those reported in *Labor Presidencial*.

Table 1 shows the breakdown of bills introduced by presidential term. Despite having governed for less than three years, Allende introduced more bills than his two predecessors. In turn, the number of bills introduced by legislators increased drastically until Jorge Alessandri's 6-year term (1958–64), but it began to decline under Eduardo Frei (1964–70). Under Allende's 34 months in office, there were fewer legislator bills introduced than in any previous term since Aguirre Cerda's (1938–41). Thus, the decline on the overall number of bills introduced under

Table 2. Bills introduced and laws enacted in Chile by presidential term, 1932–73

Presidential term	Bills introduced	Laws enacted	Laws enacted as % of all bills	Presidential bills introduced	Laws enacted as % of presidential bills
1932–38	2424	1160	47.9	975	84.1
1938–42	1526	838	54.9	555	66.2
1942–46	1927	1415	73.4	554	39.2
1946–52	2871	2128	74.1	935	43.9
1952–58	3945	2365	59.9	946	40.0
1958–64	5624	2597	46.2	433	16.7
1964–70	3828	1664	43.5	275	16.5
1970–73	1653	642	38.8	438	68.2
Total	23798	12809	53.8	5,111	39.9

Source: Authors using *Diarios de Sesiones* from the Library of Congress of Chile.

Allende is explained by fewer legislator-initiated bills, not by a decline in the number of presidential bills introduced. In fact, Allende introduced more bills in his three years in office than Frei did in his six years in office. We return to this issue when we discuss our alternative explanation for the decline in laws enacted under Allende.

Table 2 shows the four proxies for legislative output. The first two proxies are the number of laws enacted in each presidential term and the number of laws enacted per year in each term. As some presidential terms lasted less than the mandated six years (Allende was in office for 34 months), the total number of laws enacted also reflects the length of each term. The 642 laws passed under Allende represent the lowest number for a presidential term in the 1932–73 period, but the per year output under Allende (214) was only 22% lower than the per year output under his immediate predecessor Frei (277). Under presidents Alessandri, Ibáñez, and González Videla (all 6-year presidents), the annual output was much higher, but as we discuss below, this is attributable to the large number of particularistic pension benefits bills that passed. At this point, it suffices to say that neither the overall number of laws passed nor the annual average of laws enacted under Allende lend support to the claim that there was legislative paralysis under Allende.

The third proxy for legislative output is the percentage of laws enacted with respect to all bills introduced in every term. In the Arturo Alessandri administration, 2424 bills were introduced, and 1160 laws passed for a pseudo success rate of 47.9%. Both the number of bills introduced in congress and the number of laws enacted increased markedly under Ríos and González Videla. Under Jorge Alessandri, while there was a record number of bills introduced, the number of laws did not increase as drastically, though more laws were enacted under Jorge Alessandri than under any other president in the period. Under Frei, the number of bills introduced, and the number of laws enacted declined substantially. Under Allende, 1653 bills were introduced, and 642 laws passed, for a success rate of 38.8%.

While Allende had the lowest pseudo success rate among all presidents in the period, his 38.8% was only marginally lower than the 43.5% and 46.2% experienced

by his two predecessors – a fact that goes often ignored in the literature that makes references to the alleged gridlock under Allende. Moreover, Table 2 shows that the number of bills introduced under Allende – by the president and by legislators – declined drastically compared to previous terms. While there were 5624 and 3828 bills introduced under presidents Jorge Alessandri and Frei, respectively, in the three years that Allende was in office, only 1653 bills were introduced. The only other presidential term with a similarly low number of bills introduced was under Aguirre Cerda, who died in 1941 – in his third year in office. However, as we discuss below, the reason for the decline in the number of bills introduced lies in the effect of a constitutional reform adopted in late 1970, a few months before Allende took office, that restricted the scope of bills that legislators could introduce.

The fourth proxy for legislative output shown in Table 2 is the rate of laws passed as a percentage of the number of presidential bills introduced in every term. The first three 6-year presidents – Arturo Alessandri, González Videla, and Ibáñez – introduced over 900 bills each. But starting with Jorge Alessandri, the number of presidential bills decreased drastically to 433. Frei introduced only 275 bills, even though the PDC had majority control in the Chamber of Deputies for part of his presidential term (1965–69). With 438 presidential bills introduced until he was deposed shortly before completing three years in office, Allende had introduced twice as many bills as his immediate predecessor and had surpassed the number of bills introduced by Jorge Alessandri in his six years in office. It is unlikely that a president who is experiencing legislative gridlock will be far more active than his predecessors in submitting presidential bills to congress. In fact, as we discuss below, this significant increase in the number of bills introduced by Allende, as compared to his two predecessors, was more likely caused by the constitutional changes adopted before Allende took office.

The fourth proxy for legislative success – the number of presidential bills as a percentage of all laws passed – was 84.1% for Arturo Alessandri. That figure declined in all subsequent administrations until it reached 16.7% and 16.5% under Jorge Alessandri and Frei, respectively. Under Allende, it increased drastically to 68.2%. That is, while Allende introduced 642 bills, there were 438 laws passed in his three years in office, a higher rate than for all previous presidents, except Arturo Alessandri. Using this measure, Allende was more successful in securing legislative output than all but one of his predecessors, a point that goes often unnoticed when the claim about legislative gridlock under Allende is made.

Allende introduced many more bills than his two predecessors and, relative to the number of laws enacted, presidential bills weighted more for Allende than for most previous presidents. To be sure, the numbers in Table 2 do not prove that Allende was more successful in passing his own bills, but they do show that, compared to previous presidents, Allende introduced more bills and the share of presidential bills among the laws passed was higher than for his predecessors. In fact, it can be deducted from Table 2 that the number of bills introduced by legislators declined drastically from Frei (3553) to Allende (1215). We return to that issue below when we associate the lower overall legislative output to the constitutional change in 1970 that restricted the scope of issues that legislator-initiated bills could address.

Changes to the rules of the legislative process in Chile, 1932–1970

We now turn to provide a historical analysis that associates the decline in legislative output in a per year basis under Allende to changes in the rules of the legislative process. Below, we explain why legislators – but not the president – introduced fewer bills after 1970 and, presumably, as a result, fewer laws were enacted per year under Allende than under his predecessors. Changes to the legislative rules and to the scope of issues that could be addressed by legislator-initiated bills account for the increase in the number of bills and laws passed in the 1938–64 period and the decline starting in 1964 and especially under Allende.

By 1973, Chilean democracy was one of the most stable and competitive in Latin America (Sartori 2005: 113–17). After a period of political instability that led to a short civil war in 1891, an oligarchic parliamentary republic – as known in Chilean historiography – emerged and lasted until 1925 (Collier and Sater 1996: 147–201). The rise of a working class in the mining industry and a political crisis in 1924 brought about an interregnum of political instability. A new constitution was enacted in 1925, under the presidency of Arturo Alessandri (1920–25). Social and political instability ensued – with several governments ascending to power and being removed without competitive elections – until a presidential election in 1932 brought Alessandri back to power and the 1925 constitution fully came into effect (Collier and Sater 1996: 202–33). Under that constitution, Chile was characterized as a stable, competitive, and increasingly inclusive political system (Dahl 1971: 50).

The 1925 constitution granted the president strong powers and established semi-direct presidential elections (Gil 1966: 109–39; Faúndez 1997). Those powers evolved between 1925 and 1973 (Meléndez 2020). During the period, the legislature successfully managed to use its reactive powers to extract concessions from the executive (Agor 1973: 15). Even though the constitution was supposed to be presidential, the actual balance of powers was more balanced. In fact, it is wrong to assert that “the possibility of a deadlock between the President and Congress was broken in the 1925 Constitution by giving the former the edge in political power [. . .] As painfully demonstrated by the experiences of Frei and Allende, among others, this was often not the case in actual practice” (Tapia-Videla 1977: 459).

However, given the multiparty system – encouraged by open-list proportional representation electoral rules – and the nonconcurrent presidential and legislative elections, Chilean presidents often lacked majority support in Congress. In the case no presidential candidate won a majority in the election, Congress had to elect the president from among the two top candidates. Though Congress always chose the plurality winner, Chilean presidents regularly came to power without an absolute majority of the vote and, since Congress voted them into power, legislators used that as additional leverage to bargain with the executive.

Since 1932, presidential elections were held on a 6-year calendar, except when presidents died before their terms ended – in 1941 and 1946. Starting in 1932, legislative elections were held every four years (on odd years) uninterruptedly until 1973. In late 1932, elections were held for the 1933–37 term. Subsequently, legislative elections were held every four years in the same year the legislative term ended. As a result, presidential and legislative elections never coincided. Some presidents

Table 3. Composition of the Chilean Congress, 1945–73

	1945	1949	1953	1957	1961	1965	1969	1973
Chamber of Deputies								
Liberal	31	33	23	30	28	6	–	
Conservative	36	33	18	23	17	3	–	
National	–	–	–	–	–	–	33	34
Radical	39	42	21	36	39	20	24	8 ^f
Christian Democratic	3	3	3	17	23	82	56	50
Socialists	9	12	29	12	12	15	15	28
Communists	15	–	–	–	16	18	22	25
Agrarian	3	14	35	10	–	–	–	
Others	11	10	18	19	12	3	–	5
Total	147	147	147	147	147	147	150	150
Senate								
Liberal	9	12	11	9	9	5	–	–
Conservative	10	8	7	6	4	2	–	–
National	–	–	–	–	–	–	5	8
Radical	13	13	10	10	13	10	9	5
Christian Democratic	0	1	1	1	4	13	22	20 ^{**}
Socialists	4	3	5	9	7	7	6	8
Communists	6	4	–	–	4	6	6	9
Agrarian	1	3	8	–	–	–	–	–
Others	2	1	3	10	4	2	2	
Total	45	45	45	45	45	45	50	50

Source: 1945–69: Valenzuela and Wilde (1979: 198), 1973: (Cruz Coke 1984). Note: ^fRadicals include 5 pro-Allende and 3 anti-Allende. Note: ^{**}It includes PDC party switchers who joined Allende in 1971 and 1973.

were elected a year after a legislative election (1938, 1942, 1946, 1958, 1970), while others were elected half a year before (1952, 1964). That affected how executive–legislative relations played out in each presidential term. The initial popularity president Frei had helped the PDC gain an unprecedented majority in the Chamber of Deputies in the March 1965 election. Twelve years earlier, Carlos Ibáñez also benefitted from a honeymoon effect, though he led a fragmented federation of parties. Chilean historiography highlights the honeymoon effect for the Frei presidency (Parrish et al. 1967; Fleet 1985: 84–97; Gazmuri 2000: 555–674; Navarrete 2002: 39), but overlooks it when discussing the Ibáñez presidency.

Table 3 shows the composition of both chambers of congress in the 1945–73 period. Except for the 1965–69 term, no political party held a majority control in either chamber in the entire period. In general, political parties were strong

and their members in the legislature were disciplined. Party leaders had the power to exclude legislators from party blocs in the respective chamber. Only legislators in party blocs could get appointments to their preferred committees and gain access to other legislative perks. Party leaders could also obstruct a legislator's re-election efforts (Valenzuela 1995: 8). Party leaders could then form minimum winning coalitions in congress to advance certain issues or block the president's agenda. To ensure legislative support, the president often formed multiparty cabinets. Parties with presence in the cabinet were de facto members of the presidential multiparty coalition. Thus, for example, when Jorge Alessandri was elected in 1958, his government coalition was comprised of the Liberal and Conservative parties, with 53 seats in the 147-member Chamber of Deputies and 15 in the 45-member Senate, enough for the 1/3 vote threshold required to sustain a presidential veto. Thus, despite their proactive powers in the legislative process, presidents needed the support of political parties to avoid the obstructive capacity of the legislature.

Chilean presidents had bill initiation power, had the exclusive power to introduce some spending bills, enjoyed limited decree powers and could introduce urgencies motions to force debate on a bill. Among the reactive powers (Cox and Morgenstern 2001), the president could veto legislation which could only be overruled by a 2/3 majority in both chambers. In the 1925 constitution, the congress had more reactive than proactive powers.

Since Alessandri returned to office in 1932, "the issue of the relative powers of the Congress and the president was a permanent item on the agenda of constitutional reform" (Faúndez 1997: 314). The constitutional debate over executive-legislative relations for the next 40 years centered on three contentious issues, the scope and content of the bills that could be introduced by legislators and the exclusive prerogative of the executive to introduce certain types of legislation, presidential urgency powers to speed up the legislative process for a bill and, third, the extent to which the president could exercise decree power.

First, at least since the 1833 constitution, bills in Chile can be introduced by the president or legislators. In the 1925 Constitution, the president had "exclusive power to initiate bills in financial and administrative matters and had a broad power to veto legislation. He was also given a form of guillotine privilege to ensure the speedy approval of legislation. Moreover, the president was entitled to convene the congress into session that would last six months and set its agenda" (Faúndez 2007: 67). Yet, Congress retained some prerogatives. Legislators continued to introduce spending bills based on a loophole provision until a constitutional amendment in 1943 gave the president exclusive power to introduce bills that would increase public expenditure: "Hitherto, the constitution made it impossible for members of the Congress to introduce legislation creating new services in the state sector, increasing salaries for civil service, or generally increasing public expenditure" (Faúndez 1997: 314–15).

However, the 1943 constitutional reform did not prevent legislators from introducing bills ordering pay increases in the private sector. Legislators began to introduce bills for

"mandatory pay increases for workers in the private sector at rates generally higher than those set by the government for public sector workers. This

practice undermined the government's efforts to control inflation, as it encouraged public sector workers to demand further pay increases [. . .] Moreover, as members of the congress were also allowed to introduce bills on matters concerning social security, there developed a chaotic social security system with a variety of special regimes" (Faúndez 2007: 107).

The 1943 reforms also limited the president's use of emergency financial powers. Since 1943, those emergency powers "could be exercised only in certain specified cases (public calamities, internal disorder, foreign aggression, exhaustion of funds to maintain essential public services) and could not exceed, altogether, 2% of the expenditure authorized by the annual budget" (Faúndez 1997: 307). This limitation strengthened the bargaining power of the legislature in case of a national emergency, as the president needed the consent of Congress to allocate additional funds.

As a compromise between the president and congress, the 1943 constitutional reform also granted constitutional recognition to the Comptroller General that "did not involve an expansion of its powers, but it made a crucial change in the appointment procedure and tenure [. . .] the comptroller was granted life tenure, just like justices of the Supreme Court, thereby enhancing the ability of this official to act as an independent check on executive power" (Faúndez 1997: 307). As a result, the discretionary power of the president became more limited, and the president had to rely on support from Congress to advance spending initiatives.

After the 1943 reform, legislators increasingly began to use a loophole to introduce particularistic bills associated to the pension and safety net system that was being disorderly introduced in Chile (Borzutsky 2002: 45–69). A study on the pension and health systems reports that "by the mid-1960s, the administration of the social security system was charged to hundreds of agencies, both in the public and semi-public sector, and was regulated literally by thousands of laws" (Borzutsky 2002: 64). As a result, "policies given to one sector of the working class served as the bases for future demands for other sectors" and created "interest groups formed around the very existence of a given social security benefit. These groups would eventually demand more benefits. The policies then became an active part of the vicious cycle" (Borzutsky 2002: 68). Members of the legislature "were able to get legislation approved providing constituencies with pension and social security benefits or retirement funds because colleagues were willing to support such legislation and the need for these bills was brought to the attention of the deputies and senators by local officials intent on satisfying the demand of their constituencies" (Valenzuela 1977: 139).

Between 1938 and 1958, 55% of the laws passed dealt with pensions (*asuntos de gracia*) (Tapia Valdés 1960: 47). In subsequent governments, the proportion fluctuated considerably, from a low of 17% under Frei to a high of 70% in the last year of Jorge Alessandri (Valenzuela and Wilde 1979: 201). The bills were particularistic in the strictest sense. For example, Law #16632, enacted on July 8, 1967, granted a pension increase to musician Armando Palacios Bate (1904–74). Four years later, Law #17448 from July 28, 1971, increased Palacios Bate's pension once again. In 1964, before leaving office, Alessandri unsuccessfully introduced a constitutional reform to limit the ability of legislators to introduce particularistic bills (Correa Sutil 2005: 244–45; Fermandois Vöhringer and García 2009: 299).

Frei fought those particularistic bills, but “congressmen reacted strongly against these trends, and opposition legislators were particularly bitter. They felt that in previous governments all congressmen benefitted from log rolling on pork-barrel and particularistic matters but that under Frei they were simply locked out of many benefits” (Valenzuela and Wilde 1979: 205). In 1970, in his last year in office, Frei successfully passed a constitutional amendment banning those particularistic bills and restricting the scope of amendments legislators could introduce to bills.

The 1970 constitutional reform also granted the president exclusive economic initiative powers, banning the introduction of legislative amendments to presidential bills that distorted the “global coherence of the economic system” (Fernandois Vöhringer and García 2009: 300) and that were not directly related to the core issue of the bill (Fernandois Vöhringer and García 2009: 282). The 1970 reform also gave the president exclusive powers to propose amendments to the Annual Budget Law, change the tax system, create new public bureaucracies, increase salaries for public sector workers, change the minimum wage for private sector workers, change the pension system and pension amounts (Molina 1970; Silva Bascuñán 1970; Fernandois Vöhringer and García 2009: 300).

In short, the 1970 constitutional reform prohibited legislators from turning a presidential bill into an omnibus bill with particularistic interests. The Frei administration wanted to control government spending, but it might have inadvertently made it more difficult for future presidents to draw support for their bills in a politically fragmented congress. The reform forced legislators to rely on the president for the introduction of amendments to specific bills. This might have induced Allende to introduce more bills than previous presidents precisely because legislators could no longer do so. Moreover, the inability of legislators to introduce those bills might have made it more difficult for the president to bargain with legislators to obtain support for presidential bills. This point is made by Shugart and Carey who claim that “had the Eduardo Frei government not obtained a constitutional weakening of the Chilean Congress, the center-right opposition in the early 1970s might have curbed Allende’s program, and possibly even prevented the crisis of 1973 from escalating to the point where the military was able to seize power with substantial civilian support” (Shugart and Carey 1992: 35).

Second, the 1925 constitution also introduced an urgency motion that presidents could use to speed up the passage of a bill (Soto Velasco 2015: 275–303). However, since the urgency motion did not establish a penalty in case the legislature fail to vote on the bill, the urgency became a bargaining tool for the president to control the legislative agenda (Soto Velasco 2015: 295). Moreover, since the urgency motion required the chamber to vote on a bill within 30 days, legislators often responded to the issuance of an emergency motion by introducing their own particularistic amendments as a condition for their support for the president’s bill (Agor 1973: 12–19). For that reason, the executive began to press for a constitutional reform that restricted the ability of legislators to introduce unrelated amendments to a presidential bill – as Alessandri unsuccessfully did in 1964 and Frei successfully did in 1970.

The 1970 reform, however, also modified the scope of presidential urgencies as it gave Congress partial urgency powers by requiring that $\frac{1}{4}$ of the members of a chamber petitioned to have a bill declared urgent. During that period, the

congressional calendar was divided into an ordinary session (May to September) and an optional extraordinary session (October to April) that could only be convened by the executive. The 1970 constitutional reform gave congress the power to set urgencies during the ordinary period while the executive retained the power to convene and exclusively control the legislative agenda during the extraordinary period.

Third, as the constitution did not formally regulate presidential decree powers, the executive broadly used two different types of decrees: normal decrees and Decrees with the Force of Law (DFL). All decrees were subject to review by the Comptroller General, but DFL were issued by the president on the express authorization by Congress to regulate specific matters and were often considered far more important. The 1943 constitutional reform gave the Comptroller stronger oversight powers and limited the power of the president to insist on decrees blocked by the Comptroller. Before 1943, the Comptroller could block a decree issued by the executive, but the executive could insist on the decree by reintroducing it with the signature of all cabinet members. In those case, the Comptroller could still object and present the case for review to the Chamber of Deputies. The Chamber could vote to block the decree. After the 1943 reform, the president could no longer insist on a decree blocked by the Comptroller General, but instead was required to submit legislation to Congress to implement his desired policies.

Presidents could also use delegated legislative powers in the form of DFL. Between 1932 and 1966, some 800 DFL were enacted (Faúndez 1997: 315). DFL were “generally used to consolidate and systematize rules in areas where the Congress had either approved legislative norms, though those norms were scattered in several instruments, or had provided fairly detailed policy guidelines. [...] While there is little doubt that DFLs often exceeded the terms of the enabling acts, on the whole presidents did not abuse their power” (Faúndez 1997: 317). In discussing DFL, Faúndez notes that “delegated legislation was widely used in Chile” and asserts that “the fact that the practice of delegating legislative power was so widespread suggests that the parties in the Congress did not have major complaints on this score” (Faúndez 1997: 316).

Jorge Alessandri’s use of DFL helps understand their impact. Economic hardships in the late 1950s, including high inflation, led to greater cooperation between the executive and the legislature (Scott 1958: 299). Though Congress granted the president additional powers, “the authority granted was insufficient to avoid the disorders resulting from inflationary pressures” (Scott 1958: 299). Alessandri passed DFL 47 in 1959 that transformed the budget bureau from an agency that kept records into a “key executive instrument for guiding policy priorities” (Valenzuela and Wilde 1979: 206). Legislators resented the change whose effect was “to remove almost entirely the possibility of meaningful bargaining over the budget in the legislature – or more particularly, in the former critical arena of the *comisión mixta* conference committee” (Valenzuela and Wilde 1979: 206). Thus, Alessandri used the delegated powers granted to him to respond to an economic emergency to introduce permanent changes in the way the budget bureau operated.

The 1970 constitutional reforms that

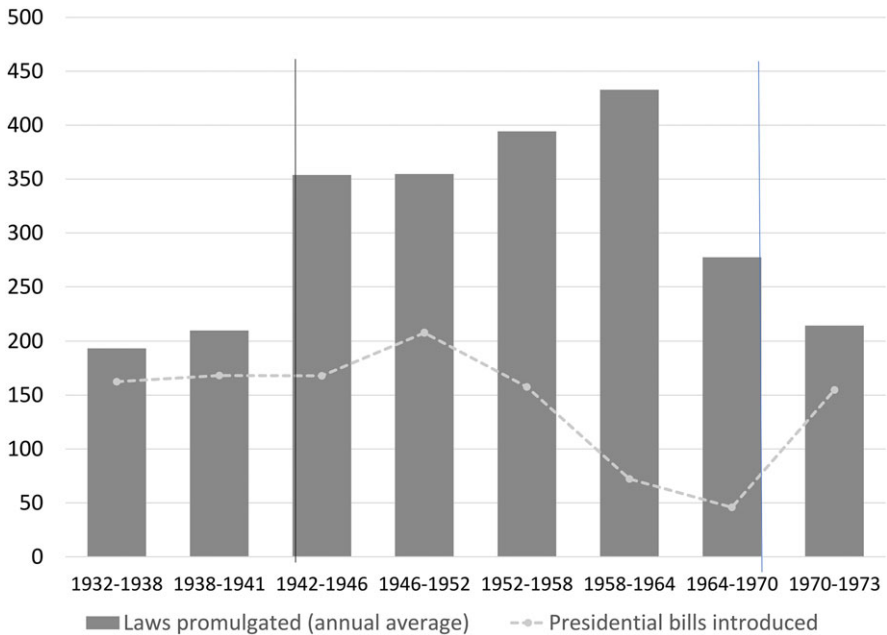


Figure 1. Annual average number of bills and laws enacted by presidential term in Chile, 1932–73.

Source: Authors using *Diarios de Sesiones* from the Library of Congress of Chile.

Note: The vertical lines reflect the years when the constitutional reforms came into effect.

“gave constitutional status to the practice of delegated legislation, was not an initiative of frustrated opposition parties dissatisfied with the way presidents had used their powers. On the contrary, it was an initiative of the Frei government largely meant to exclude certain areas of policy from the scope of DFLs. The amendment did not permit the use of DFLs in such areas as the budget or national defense. Thus, the decision that resulted in the constitutional regulation of DFLs could well be interpreted as placing limits on an already widespread practice of delegating legislative powers to presidents” (Faúndez 1997: 316–17).

The constitutional reforms of 1943 and 1970 had a significant impact on executive–legislative relations and on the lawmaking process (Meléndez 2020: 591–98). The reforms altered the balance of powers. As we discussed, the 1943 reform created loopholes for legislators to introduce more particularistic bills while the 1970 reform substantially limited that ability and might have inadvertently, limited the president’s ability to bargain with legislators to advance his own agenda.

We now turn to discuss how the introduction of bills and the enactment of laws evolved in ways that are consistent with the incentives created by the constitutional reforms we have just discussed. Figures 1 and 2 show the annual average number of presidential bills and legislative bills introduced by presidential term and the average number of laws enacted per year in every term. The vertical lines point to 1943 and



Figure 2. Annual average number of bills and laws enacted by legislative term in Chile, 1932–73.

Source: Authors using *Diarios de Sesiones* from the Library of Congress of Chile.

Note: The vertical lines reflect the years when the constitutional reforms came into effect.

1970, the years of the two major constitutional reforms. There was a peak in presidential bills introduced under González Videla, with slightly over 200 bills per year. After that, every president introduced fewer bills, until Allende, who introduced almost three times more bills per year than his immediate predecessor. There was peak in legislator-initiated bills under Jorge Alessandri – who relied on a fragmented coalition to command majority support in Congress, especially after the 1961 legislative election. Legislator-initiated bills decreased significantly under Frei – presumably due to the PDC control over the Chamber of Deputies – and further declined under Allende. But here, the culprit was likely the constitutional reform of 1970 that limited the range of subjects for legislators' bills rather than the high level of polarization in the country or the political conflict between Allende and the Congress. In fact, while legislator-initiated bills decreased under Allende, the executive-initiated bills increased drastically under Allende as compared to Frei.

In turn, the number of laws enacted peaked under Jorge Alessandri, declined drastically under Frei and continued to decline under Allende. Now, since the information on bills introduced comes from a different source than the information on laws enacted, we cannot trace every law enacted to a specific bill, nor can we establish whether a bill introduced was eventually enacted. The Library of Congress has no information on the content of many laws (41.4%), and thus they cannot be traced back to specific bills. Other laws are the result of the consolidation of several bills. For that reason, here we only analyze the overall number of bills introduced and laws passed, not the success rate of bills introduced.

The evolution in the number of bills introduced and the number of laws enacted is consistent with the expected impact of the 1943 and 1970 constitutional reforms. After 1943, the number of laws enacted increased markedly as so did the number of legislator-initiated bills – but not the number of presidential bills. With the election of Frei in 1964, the number of bills introduced declined drastically as Frei made it a point to block the passage of particularistic bills. The 1970 constitutional reform made unconstitutional for legislators to pass particularistic bills. Since the number of presidential bills introduced increased under Allende as compared to Frei, we suspect that – as the president needed a bargaining tool to get legislators to approve his priority bills – Allende began to introduce some particularistic bills that legislators were banned from introducing. In fact, we found that Allende introduced 36 particularistic pension bills in his three years in office, while Frei and Alessandri only introduced 13 and 8 such bills in their 6-year terms.

The impact of changes in the legislative process on legislative output Allende

The evolution of events in the short Allende presidential term is also consistent with the explanation that associates legislative output to the institutional design of the lawmaking process. Precisely because Allende lacked a majority in Congress, he had to rely on the opposition to advance his legislative agenda. As we discuss below, as the socialist president moved forward with implementing the Chilean Road to Socialism, Congress became increasingly obstructive and actively sought to block some of Allende's core legislative priorities. But, as we also show below, the president and Congress were able to find common ground, as 642 laws passed during the term, including many that were important and consequential.

When Allende failed to win a majority in the 1970 election, a joint session of Congress elected the president from among the top two candidates, Allende and former president Jorge Alessandri. As legislators from left and rightwing parties were already committed to Allende and Alessandri, respectively, PDC legislators – whose candidate ended in third place – became the decisive voters. To secure the support of the PDC, Allende and his UP coalition negotiated an agreement with the PDC that included a constitutional reform to limit the scope of Allende's Road to Socialism program. The assassination of Army Commander in Chief René Schneider in October 1970 by a rightwing radical group – an effort aimed at blocking the election of Allende – further cemented the agreement between the UP and the PDC. Allende defeated Alessandri by a 153 to 35 vote margin.

Upon taking office, Allende rushed to implement several state-centered reforms. The constitutional guarantees agreement negotiated with the PDC was signed into legislation on January 9, 1971 (Law #17398). Rapid economic growth resulting from increased social spending and an expansionary monetary policy helped Allende's coalition win, with a 50.3% vote share, the municipal elections on April 4, 1971. Emboldened by the victory, Allende pushed for the full nationalization of the copper industry – partial nationalization had been implemented under Frei. Congress unanimously supported that initiative in July 1971 (#Law 17450).

The election of Senator Carlos Altamirano as Secretary General of the PS in February 1971 further polarized the political arena, emboldening those who favored the insurrectional strategy to force the adoption of socialism. On June 21, 1971, the assassination of Edmundo Pérez Zujovic, former president Frei's Interior Minister and a leader of the PDC's conservative wing, deepened divisions within the PDC. A leftwing faction – inspired by liberation theology – that included six members of the Chamber of Deputies left the PDC to join the UP as a new party, the Christian Left (IC). By late 1971, the opposition orchestrated street demonstrations banging pots and pans – *cacerolazos* – to express their discontent with the government.

As required by his agreement with the PDC, Allende introduced a bill to regulate the three areas of economic activities – state, mixed and private – but disagreements in the legislature over the interpretation of the agreement stalled the bill. The government eventually forged ahead with nationalization efforts using an obscure legislation from the 1930s – Decree Law #520 enacted during the one-week long Socialist Republic in 1932. The tension over how the government ought to proceed with the nationalization mounted:

In February 1972 Congress passed the PDC-sponsored constitutional amendment to prohibit legislatively unauthorized expropriations. Allende vetoed the proposal, and a majority of the legislature retaliated by voting to override the veto, an act that threatened to plunge the nation into a classic constitutional crisis. Allende claimed that Congress could override his veto only by a two-thirds majority rather than a simple majority as claimed by Congress. This difference in interpretation arose from the constitutional amendment of January 1970 which, in setting up a mechanism for plebiscites on disputed constitutional amendments, had clouded this particular issue. The arguments flowed back and forth, the opposition urging a plebiscite, and Allende insisting that the two-thirds majority was necessary (as it was for overriding his veto on regular legislation) and that the matter should be determined by the Constitutional Tribunal created by the 1970 amendment. For the moment this issue was left unresolved (Collier and Sater 1996: 348).

The PDC doubled down on its legal strategy to block Allende's reforms:

In June 1973 the PDC introduced a new constitutional amendment prohibiting the seizure of farms less than forty hectares in size and demanding that the government (in line with the 1967 law) convert the *asentamientos* into cooperatives or individual holdings. With politicians once again arguing the constitutional issues, the growing conflict between government and opposition was now being regularly taken into the streets: the increasing violence of the demonstrations caused Allende to decree states of emergency in Santiago and Concepción in August and September 1972 (Collier and Sater 1996: 349).

In their narrative of the Allende years, Correa et al. (2001) also point a gradual decay in executive–legislative relations. For Cohen (1994), the room for negotiations and compromise broke in mid-1972, 18 months into Allende's 3-year term.

Roxborough et al. (1977) argue that the deadlock only began in 1973, when “there were no grounds for compromise [. . .] The deadlock between the president and the congress had clearly reached a point of crisis” (Roxborough et al. 1977: 110).

With the slogan “uncompromisingly forward” (*avanzar sin transar*), the PS and other radical groups called for a people’s assembly to advance the reforms, bypassing Congress, while Allende and the less radical Communist Party continued to favor a more gradual approach. In August 1972, the two leading opposition parties, the PDC and the National Party (PN), formally created the Democratic Confederation – CODE. A truckers’ strike in October of 1972 had a damaging impact on the economy. In November 1972, Allende shuffled the cabinet, incorporating active-duty military officers.

The expansionary policies of Allende’s first year impacted inflation – 20.5% in 1971 and to 77.8% in 1972. By September 1973, the 12-month average inflation was over 300%. The GDP expanded by 9.4% in 1971, but the economy went into a recession in 1972 and 1973 (-1.2% and -12.9%, respectively). In July 1971, presidential approval in the capital city of Santiago was 56.1%. By April 1972, approval was at 64.1%. In January 1973, it had declined to 40.8% and in the last approval poll conducted before the coup in February 1973, 49.6% approved of the president (Navia and Osorio 2015: 130).

The March 4, 1973, legislative elections that renewed the 150 seats in the Chamber of Deputies and 25 of the 50 seats in the Senate turned into a referendum on Allende. The opposition aspired to obtain a 2/3 majority in at least one chamber to impeach the president. The CODE coalition won 87 seats in the Chamber and 31 seats in the Senate – 14 seats 2 and seats, respectively, short of the 2/3 majority needed to impeach Allende. After the election, members of the military resigned from the cabinet and confrontations between government supporters and foes escalated both in congress and in the streets. Widespread strikes – including a copper miners’ strike in the large El Teniente state-owned mine – forced the administration to backtrack on other reforms, including the National Unified School (ENU).

Between June 27 and August 3, 1973, the government reported 180 terrorist attacks by rightwing extremists, including the assassination of a naval officer presidential aide (Correa et al. 2001, 272). On June 29, 1973, a failed coup attempt – the Tanquetazo – unveiled the discontent within part of the military with the Allende government. The legislature denied Allende’s request to declare state of siege after the Tanquetazo (Correa et al. 2001: 273). In August of 1973, the catholic church-sponsored talks between the government and the PDC broke down indefinitely.

Constitutional accusations against cabinet ministers underlined the growing conflict between the Allende and the legislature. Between 1932 and 1970, out of 29 constitutional accusations against cabinet ministers, only two were voted favorably in both chambers. Under Allende, 8 of 10 cabinet members charged with dereliction of duty were removed from their posts by the legislature – including two ministers of the interior, the most important cabinet position, in the three months leading up to the coup. Cabinet instability also reflected the worsening political conditions. In 1971, Allende made only two cabinet changes in his 15-member cabinet. But he shuffled 29 cabinet positions in 1972 and 31 in 1973. On August 22, 1973, a coalition of rightwing parties and PDC legislators passed a resolution accusing the government of “comprehensively breaking the law.” Stopping just short of advocating a

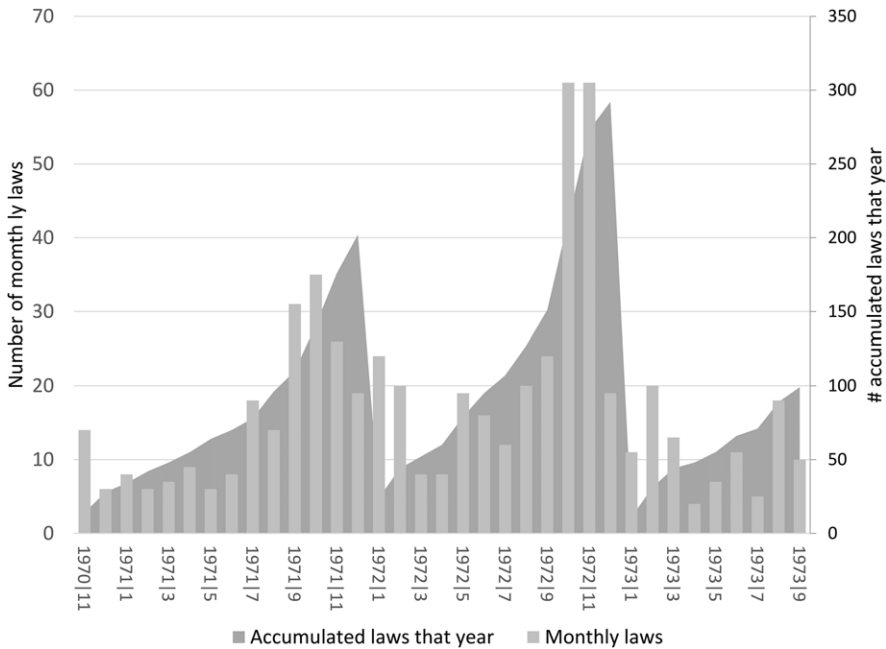


Figure 3. Laws promulgated every month under Allende, November 1970–September 1973.
 Source: Authors using *Diarios de Sesiones* from the Library of Congress of Chile.

coup d'état, it nonetheless called on the military members of the cabinet to “*put an immediate end to all the de facto situations . . . which infringe the Constitution and the laws*” (Collier and Sater 1996: 356). A day later, Army commander in chief Carlos Prats resigned from his army position and from the Ministry of Interior. Three weeks later, the armed forces staged a military coup that resulted in Allende’s suicide and the end of Chile’s 41-year-old democracy.

Though the country was on the verge of a democratic breakdown for most of 1973, the president continued to introduce bills and the legislature voted them favorably. On September 10, 1973, law #17982 transferred a fiscal property to the Association of Retirees and Widows of the Armed Forces in the port city of Talcahuano. The law was duly published on the official registry on September 11, 1973. Figure 3 shows the number of bills enacted in every month of Allende’s term. There was an increase in the number of bills at the end of every year – presumably as those bills were linked to pensions and particularistic benefits. Figure 3 offers no indication that, as tensions increased, legislative output declined. After the thorny constitutional debate in mid-1972, the number of laws passed at the end of that year increased substantially. Despite the harsh political confrontation, the legislature and the president found ways to agree on enacting laws. The legislative output did not experience a significant decline when tensions began to mount in mid-1972. It is true that some priority bills for Allende – like the Unified National School – stalled in Congress, but many presidents see their priority bills being blocked in Congress. In fact, the data from Figure 3 does not support the claim that

there was legislative paralysis under Allende. Since the government was overthrown on September 11, it is impossible to know whether the number of laws enacted would have increased by the end of 1973 as it did in the last quarter of 1973. But there 89 laws enacted between January and August of 1973, slightly less than the 127 and 96 enacted in the first 8 months of 1972 and 1971, respectively. In fact, in the first 10 days of September of 1972, 10 laws were enacted.

Conclusion

With data on the legislative output under Chilean presidents from 1932 to 1973, we call into question the long-standing claim that the confrontation between the executive and the legislature led to legislative paralysis under Allende. The data we show is consistent with an alternative explanation: changes in the rules of the legislative process account for variations in legislative output overtime and for the decline in legislative output under Allende. Our findings are consistent with previous arguments about the importance of the institutional design in explaining legislative output, especially when the executive and the legislature clash. For example, Shugart and Carey (1992) reflect that: “The Chilean experience suggests some conclusions about presidential systems [. . .] the more promising way to bring about efficiency instead of the way that was attempted in Chile is to weaken the legislative powers of the presidency” (Shugart and Carey 1992: 204). Similarly, Faúndez underlines institutional design problems that existed in Chile before Allende came to power, reckoning that “had there been a parliamentary system in place, democracy in Chile would probably have collapsed long before 1973 – perhaps in the early 1950s, when the political system was in deep crisis” (Faúndez 1997: 318).

We show that the 1943 constitutional reforms made it easier for legislators to introduce bills that indirectly forced the government to increase public spending. Thus, the number of legislator-initiated bills increased drastically after that reform. When Frei came to power in 1964, he actively opposed the introduction of those particularistic legislator-initiated bills and, shortly before leaving office, enacted a constitutional reform that severely limited the ability of legislators to introduce spending bills. While it is impossible to know what would have happened to legislative output under Allende without the 1970 constitutional reforms, we have presented evidence to discard the widely held belief that there was legislative paralysis under Allende. Our findings are consistent with the claim that changes in legislative output under Allende, compared to that of previous presidents, respond to changes in the rules of the legislative process implemented in late 1970.

The democratic breakdown in Chile sent shockwaves around the world and had lasting and painful consequences, but insofar as legislative output is concerned, the 1970–73 presidential term did constitute a period of legislative deadlock, and Allende is not a poster child of legislative paralysis in presidential systems. The decline in legislative output under Allende most likely responded to a constitutional reform in 1970 that limited the ability of legislators to introduce particularistic bills. By comparing legislative output under Allende with that of his predecessors and associating changes in the number of laws enacted to incentives stemming from the institutional design, we provide an alternative explanation for the decline in

the number of laws passed under Allende when compared to his predecessors. Though while we do not take issue with the debate on the alleged perils of presidentialism, we do caution against using the Salvador Allende presidency as an example of legislative paralysis when the executive and the congress clash (Table A1).

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Appendix A

Table A1. Laws enacted by presidential term, Chile, 1932–70

Presidential term	President	With information available		No information available		All laws #	Annual average #	% of all laws
		#	%	#	%			
1932–38	A. Alessandri	381	32.0	808	68.0	1189	198.2	9.3
1938–42	Aguirre Cerda	164	19.2	690	80.8	854	213.5	6.6
1942–46	Juan A. Ríos	369	26.4	1027	73.6	1396	349.0	10.9
1946–52	G. González Videla	748	34.9	1396	65.1	2144	357.3	16.7
1952–58	C. Ibañez II	1539	62.0	943	38.0	2482	413.6	19.3
1958–64	J. Alessandri	2036	82.1	444	17.9	2480	413.3	19.3
1964–70	E. Frei	1662	99.9	2	0.1	1664	277.3	12.9
1970–73	S. Allende	636	99.1	6	0.9	642	214.0	5.0
1932–73	Grand Total	7535	58.6	5316	41.4	12851	313.4	100.0

Source: Authors with information from the Library of Congress.

Note: The data reported in Tapia Valdés (1960: 48) for the 1938–58 period is different, due to the different way of counting bills passed after presidents died. We count all laws passed in the term until a new president took office (including those signed by interim presidents).

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