

**Political institutions and their effect on
democracy in the
Dominican Republic**

-A critical assessment

Leiv Marsteintredet

**Thesis Submitted for the Degree
*Candidatus Rerum Politicarum***

February 2004



The University of Bergen

Department of Comparative Politics

To Dixie

Acknowledgments

At the Department of Comparative Politics, I must thank my supervisor Einar Berntzen. His comments, critique, keen eye for details and advices have constantly pushed me forward in writing and improving this thesis. I must also thank Einar for opening my eyes for conceptual issues, and especially for making me look into the details of radial concepts. Mike Alvarez also deserves mentioning. His positive comments gave me the necessary confidence when Einar was far away, and his tips on relevant literature have been an important contribution.

Financially, I should thank the Meltzer foundation for financing my research trip to the Dominican Republic. In particular I want to thank my parents (and the rest of the family in Ulvik and Oslo), without my parents' support and extra funding, this project would not have been possible to finish. I also want to thank my family for their general support throughout my years at the University. Thank you for never doubting me.

In the Dominican Republic, Jacqueline Jiménez Polanco was of tremendous help. She helped me understand the inner life and thoughts of the political parties in the Dominican Republic. I also appreciate the help I got from Carlos Pimentel at OECI. I also should thank all my friends in the Dominican Republic for not getting tired of my eternal need to discuss politics when I had taken a couple of *Presidentes* too many. I also appreciate the help and support from my family in Santiago, who welcomed me into their home in 93/94. This year was crucial for my interest in Dominican politics.

In the United States, Rosario Espinal has been very kind and provided me with literature that was impossible to find. Her work is brilliant and has been a true inspiration. Peter Sánchez has also been very kind and sent me several articles...I am sorry for criticising them in my thesis.

In particular I want to thank Luis José Brea Bazil for always letting me live with his family in Santo Domingo. He opened his house, let me become a member of his family and made me feel at home during my research trip. He gave me brilliant food, remarkable study and writing facilities, tips on literature, fresh newspapers and many interesting conversations. I can truly say: Without him this project would never have been possible.

List of Contents:

ABSTRACT	I
LIST OF ABBREVIATIONS:.....	II
DOMINICAN REPUBLIC: CENTRAL FACTS	III

CHAPTER 1: INTRODUCTION

1.0 INTRODUCTION: THEMES OF THE THESIS.....	1
1.1 WHY A SINGLE CASE STUDY?.....	2
1.2 WHY THE DOMINICAN REPUBLIC?.....	3
1.3 THE PLAN OF THE THESIS	7

CHAPTER 2: THEORETICAL CONSIDERATIONS

1.0 INTRODUCTION	9
2.0 DEFINITIONS OF CORE CONCEPTS	12
2.1 DEMOCRACY	13
2.1.1 <i>An expanded procedural definition of democracy.....</i>	<i>15</i>
3.0 THE NEW INSTITUTIONAL DEBATE	19
3.1 THE FAILURE OF PRESIDENTIALISM: LINZ	19
3.1.1 <i>Dual democratic legitimacy</i>	<i>20</i>
3.1.2 <i>Fixed terms, rigidity.....</i>	<i>21</i>
3.1.3 <i>Presidentialism and weak parties.....</i>	<i>22</i>
3.2 THE PARTY SYSTEM AND PRESIDENTIALISM	23
3.3 DEADLOCKS AND SURVIVAL OF DEMOCRACIES.....	24
3.4 A CONDITIONAL DEFENCE FOR PRESIDENTIALISM	25
3.4.1 <i>The defence of presidentialism.....</i>	<i>26</i>
3.4.2 <i>Presidential powers.....</i>	<i>27</i>
3.4.3 <i>The party system.....</i>	<i>28</i>
3.4.4 <i>Electoral rules and electoral cycles</i>	<i>29</i>
4.0 DEMOCRATIC REGIME STABILITY AND CONSOLIDATED DEMOCRACY.....	30
4.1 REGIME STABILITY	30
4.2 VIRTUOUS/PERVERSE INSTITUTIONALISATION AND CONSOLIDATED DEMOCRACY	32

CHAPTER 3: METHODOLOGICAL CONSIDERATIONS

1.0 INTRODUCTION	36
1.1 THE CASE STUDY	36
1.2 MY DATA COLLECTION	37
2.0 CONCEPTUALISATION AND OPERATIONALISATION OF THE CORE CONCEPTS.....	39
2.1 RADIAL AND CLASSICAL CONCEPTUALISATION.....	39
2.1.1 <i>Classifications of democracy and attributes of democracy.....</i>	<i>44</i>
2.2 OPERATIONALISING DEMOCRATIC FEATURES	47
3.0 OPERATIONALISATION OF INSTITUTIONAL VARIABLES AND DEADLOCK.....	50
3.1 THE INDEPENDENT VARIABLES	50
3.1.1 <i>Government party support in congress</i>	<i>50</i>
3.1.2 <i>Number of parties.....</i>	<i>51</i>
3.1.3 <i>The veto situation</i>	<i>52</i>

3.1.4	<i>Presidential powers and party strength</i>	52
3.1.5	<i>The Electoral system</i>	53
3.2	THE DEPENDENT VARIABLES	53
3.2.1	<i>Executive-legislative relations. Or: How to measure “Actual Deadlocks”</i>	54
3.2.2	<i>How to measure presidential dominance</i>	55
3.2.3	<i>Regime change</i>	56
3.3	HOW TO TEST THE HYPOTHESES	57
4.0	REGIME STABILITY AND CONSOLIDATED DEMOCRACY	58
4.1	REGIME STABILITY	58
4.2	CONSOLIDATED DEMOCRACY	58
4.3	THE RELATIONSHIP BETWEEN THE CORE CONCEPTS	59
5.0	HYPOTHESES	60

CHAPTER 4: CLASSIFYING THE DOMINICAN REGIME

1.0	INTRODUCTION	63
2.0	THE DOMINICAN REPUBLIC: A PRESIDENTIAL FORM OF REGIME	63
2.1	PRESIDENTIAL POWERS	65
2.2	THE CONSTITUTIONAL AND OTHER REFORMS OF 1994-2002	68
3.0	THE DOMINICAN REPUBLIC 1966-2002. A DEMOCRACY?	70
3.1	A PRESENTATION OF STUDIES OF DEMOCRACY	71
3.2	THEORETICAL DIFFERENCES	72
3.3	VALIDITY PROBLEMS	75
3.3.1	<i>Diverging theoretical and operational definitions of democracy</i>	75
3.3.2	<i>When does democracy start?</i>	76
3.4	RELIABILITY PROBLEMS.....	78
4.0	THE DOMINICAN REPUBLIC 1966-2002: WHAT TYPE OF DEMOCRACY?	78
4.1	POLITICAL CONTESTATION	79
4.2	POLITICAL PARTICIPATION.....	85
4.3	EFFECTIVE POWERS TO ELECTED RULERS.....	86
4.4	HORIZONTAL ACCOUNTABILITY	87
4.4.1	<i>Institutional potential for horizontal accountability</i>	88
4.4.2	<i>Indicators of Horizontal accountability</i>	91
4.5	PROTECTION OF CIVIL LIBERTIES AND POLITICAL RIGHTS	94
4.5.1	<i>Comparing “political murders” in the DR with authoritarian regimes</i>	96
4.6	SUMMARY	97

CHAPTER 5: TESTING THE NEW INSTITUTIONAL THEORIES

1.0	INTRODUCTION	104
2.0	DEPENDENT VARIABLE: PRODUCTION OF LAWS IN CONGRESS	104
2.1	MY DATA AND THE CURRENT LITERATURE	107
2.2	METHODOLOGICAL ISSUES	109
3.0	CAN THE THEORIES PREDICT PRODUCTION OF LAWS AND “ACTUAL DEADLOCKS”?	110
3.1	THE LINZ AND THE LINZ – MAINWARING HYPOTHESES	111
3.2	THE MAINWARING HYPOTHESIS	112
3.3	THE CHEIBUB HYPOTHESES	115

3.4	SHUGART & CAREY HYPOTHESIS	119
3.5	A SUMMARY COMPARING THE THEORIES	122
4.0	A CASE STUDY APPROACH TO THE PRODUCTION OF LAWS AND “ACTUAL DEADLOCKS”	125
4.1	THE GOVERNMENT’S PERSUASION AND MAINWARING’S PREDICTIVE POWER.....	126
4.2	CREATING ALLIANCES TO IMPROVE EXECUTIVE-LEGISLATIVE RELATIONS	128
4.3	CONFLICTS OUTSIDE CONGRESS CAUSING “ACTUAL DEADLOCKS”	130
4.4	UNSTABLE MAJORITIES CAUSING ACTUAL DEADLOCKS	132
5.0	CONSEQUENCES OF POTENTIAL AND “ACTUAL DEADLOCKS”	138
5.1	POTENTIAL AND “ACTUAL DEADLOCK” AND REGIME CHANGES	138
5.2	POTENTIAL AND “ACTUAL DEADLOCK” AND PRESIDENTIAL DECREES	139
5.3	POTENTIAL AND “ACTUAL DEADLOCK” AND PRESIDENTIAL SHARE OF BUDGET.....	144
6.0	CONCLUSIONS	147

CHAPTER 6: POLITICAL INSTITUTIONS AND VIRTUOUS/PERVERSE INSTITUTIONALISATION

1.0	INTRODUCTION	150
2.0	THE DOMINICAN REPUBLIC: A CONSOLIDATED OR STABLE DEMOCRACY?	150
2.1	VALIDITY PROBLEMS: THE AVERAGE SCALE.....	152
2.2	VALIDITY PROBLEMS: TIME AS A MEASURE FOR STABILITY	153
3.0	THE DOMINICAN REPUBLIC 1978-1994.....	155
3.1	A STABLE REGIME OR A CONSOLIDATED REGIME?	156
3.2	PERVERSE/VIRTUOUS INSTITUTIONALISATION	157
3.2.1	<i>The lack of reforms and virtuous institutionalisation.....</i>	<i>159</i>
4.0	THE DOMINICAN REPUBLIC AFTER 1994 (1994-2003).....	164
4.1	A STABLE OR A CONSOLIDATED REGIME?	164
4.1.1	<i>The Dominican Republic neither a stable, nor a consolidated regime?</i>	<i>166</i>
4.2	PERVERSE/VIRTUOUS INSTITUTIONALISATION	170
5.0	CONCLUSIONS	175

CHAPTER 7: CONCLUDING REMARKS

1.0	CONCLUDING REMARKS	178
1.1	PRESENTATION OF CENTRAL FINDINGS	178
1.2	CONCLUDING METHODOLOGICAL AND SUBSTANTIAL REFLECTIONS	182

APPENDICES:..... 186

APPENDIX I: ELECTORAL RESULTS 1966-2002.....	186
APPENDIX II: COMPARING DEMOCRACY SURVEYS	187
APPENDIX III: BACKGROUND STATISTICS AND MATERIAL FOR CHAPTER 5	189

BIBLIOGRAPHY:..... 209

List over tables and figures:

TABLE 1: CHEIBUB'S DEADLOCK SITUATIONS	24
TABLE 2: EFFICIENT AND INEFFICIENT REGIMES	29
TABLE 3: INSTITUTIONAL TYPES OF DEMOCRACY BASED ON A CLASSICAL CONCEPTUALISATION	40
TABLE 4: TYPES OF DEMOCRACY BASED ON A CLASSICAL CONCEPTUALISATION.....	41
TABLE 5: DEMOCRACY AS A RADIAL CONCEPT	42
TABLE 6: RELATIONSHIP BETWEEN THE CORE CONCEPTS	59
TABLE 7: THE EXPECTED RELATIONSHIP BETWEEN THE INDEPENDENT AND DEPENDENT VARIABLES	60
TABLE 8: REGIME EFFICIENCY.....	67
TABLE 9: CHEIBUB'S POTENTIAL DEADLOCK SITUATIONS IN THE DOMINICAN REPUBLIC.....	68
TABLE 10: ASPECTS OF THE DOMINICAN PRESIDENTIALISM	70
TABLE 11: CLASSIFICATIONS OF THE DOMINICAN REGIME 1966-2002.....	72
TABLE 12: NUMBER OF CRITERIA FOR DEMOCRACY AND YEARS OF DEMOCRACY IN THE DOMINICAN REPUBLIC 1966-1994	73
TABLE 13: SHARE OF GOVERNMENT SPENDING ON CONTROLLING INSTITUTIONS.....	90
TABLE 14: MEANS OF DIVERGENCES AND PRESIDENTIAL DOMINANCE PER ADMINISTRATION.....	94
TABLE 15: REGIME SCORES.....	98
TABLE 16: REGIME LABELS, RADIAL CATEGORISATION. THE DOMINICAN REPUBLIC 1966-2002.....	102
TABLE 17: ACTIVITY IN CONGRESS AND "ACTUAL DEADLOCK" PERIODS	106
TABLE 18: MINORITY/MAJORITY GOVERNMENTS' EFFECT ON ACTIVITY IN CONGRESS AND "ACTUAL DEADLOCKS"	111
TABLE 19: EFFECTIVE NUMBER OF PARTIES' EFFECT ON ACTIVITY IN CONGRESS AND "ACTUAL DEADLOCKS"	114
TABLE 20: GOVERNMENT PARTY SUPPORT AND VETO RULES' EFFECT ON ACTIVITY IN CONGRESS AND "ACTUAL DEADLOCKS"	116
TABLE 21: UNSTABLE MAJORITIES' EFFECT ON ACTIVITY IN CONGRESS AND "ACTUAL DEADLOCK"	118
TABLE 22: GOVERNMENT PARTY STRENGTH'S EFFECT ON ACTIVITY IN CONGRESS AND "ACTUAL DEADLOCK"	120
TABLE 23: NEW INSTITUTIONAL THEORIES AND PRESIDENTIAL DOMINANCE	144
TABLE 24: THE DOMINICAN REPUBLIC: A CONSOLIDATED OR STABLE DEMOCRACY?.....	151
TABLE 25: PRESIDENTIAL ELECTIONS 1966-2000.....	186
TABLE 26: ELECTORAL RESULTS FOR THE LOWER CHAMBER 1966-2002	186
TABLE 27: ELECTORAL RESULTS FOR THE SENATE 1966-2002	186
TABLE 28: FITZGIBBON-JOHNSON AND THE FREEDOM HOUSE INDEXES ON DEMOCRACY IN LATIN AMERICA.....	187
TABLE 29: CORRELATIONS BETWEEN CONGRESSIONAL ACTIVITIES	189
TABLE 30: BIVARIATE REGRESSION ON PRODUCTION OF "ALL LAWS" IN CONGRESS	190
TABLE 31: BIVARIATE REGRESSION ON PRESIDENTIAL SHARE OF EXECUTED BUDGET (PRESIDENTIAL DOMINANCE)	190
TABLE 32: PARTY STRENGTH PRSC	191
TABLE 33: PARTY STRENGTH PLD.....	191
TABLE 34: PARTY STRENGTH PRD	191
TABLE 35: LAW STATISTICS 2 ND LEGISLATURE 1978- 1 ST LEGISLATURE 2002.....	198
TABLE 36: BUDGET EXPENSES 1966-2001	202
FIGURE 1: MAPS OF CENTRAL AMERICA AND THE DOMINICAN REPUBLIC	IV
FIGURE 2: LACK OF HORIZONTAL ACCOUNTABILITY	92
FIGURE 3: ACTIVITY IN CONGRESS	106
FIGURE 4: EFFECTIVE NUMBER OF PARTIES LOWER CHAMBER AND PRODUCTION OF LAWS IN CONGRESS.....	113
FIGURE 5: RELATIONSHIP BETWEEN DIFFERENT CATEGORIES OF LAWS AND THE PRODUCTION OF "ALL LAWS" 1978-2002	197

Abstract

This thesis deals with political institutions and their effect on democracy and prospects for stabilising and consolidating democracy. It discusses a single case: The Dominican Republic. The new institutional theories argue that political institutions affect democracy, democratic stability and prospects for democratic consolidation. The thesis argues that new institutional theories do not sufficiently discuss their dependent variable: Democracy, democratic stability or consolidated democracy. This has affected the relationship found between political institutions and the dependent variables, and is one principal reason why the new institutionalists disagree upon how political institutions affect the dependent variables. Therefore, after evaluating former regime classifications of the Dominican Republic, this thesis provides a thorough analysis of the Dominican political regime 1966-2002. This is done by the help of a new conceptualisation of democracy, based on radial concepts. This new conceptualisation distinguishes well between different types of what has formerly been defined only as semi-democratic regimes. The thesis specifically focuses on the area of horizontal accountability, which it is argued, should constitute a part of the concept democracy.

The thesis also compares the new institutional theories with respect to what is considered to be most important factor for democratic instability: Deadlocks. The thesis argues that the new institutional theories have failed operationalise the dependent variable deadlock. This thesis suggests a new operationalisation of deadlocks and investigates which of the new institutional theories best predict deadlocks. The data material show, with one exception, few differences between the predictive powers of the new institutional theories on deadlocks. The thesis also investigates the consequences of institutional deadlocks, and finds that these have not led to any regime breakdowns in the Dominican Republic 1978-02. However, one finding is that deadlocks lead to an increased presidential dominance and an increased lack of horizontal accountability.

Finally, the thesis investigates the political institutions' effect on prospects for consolidation of the Dominican regime. The thesis concludes that the political institutions in the Dominican Republic did not favour a consolidation of the regime after 1978. It also concludes that the Dominican Republic is not a full democracy today or consolidated, but, with some reservations, a stable delegative democracy.

List of Abbreviations:

BIP: Bloque Independiente Peñagomista

CdC: Cámara de Cuentas

DOP: Dominican Pesos

DR: Dominican Republic

FINJUS: Fundación Institucionalidad y Justicia Inc.

FNP: Fuerza Nacional Progresista

JCE: Junta Central Electoral (Central Electoral Board)

LMD: Liga Municipal Dominicana

MIDA: Movimiento de Integración Antireeleccionista

OAS: Organization of American States

ONAPRES: Oficina Nacional de Presupuesto

PC: Participación Ciudadana

PLD: Partido de la Liberación Dominicana

PRD: Partido Revolucionario Dominicano

PRI: Partido Revolucionario Independiente

PR(SC): Partido Reformista (Social Cristiano)

SCJ: Suprema Corte de Justicia

USD: United States Dollars

Dominican Republic: Central facts

Population size:	8.7 million, 2003 est.	Population below poverty line:	25%
Government:	Republic. Presidentialism.	Distr. Family income, Gini Index:	47.4%, 1998 est.
Ethnic groups:	White 16%, Mixed 73%, Black 11%. No Indians.	External dept:	\$4.8 billion, 2002 estimate.
Illiteracy rate:	15% 2003 est.	Budget revenues/exp.:	\$2.9/3.2 billion, 2002 est.
Religion:	Roman Catholic 95%	Exports:	\$5.3 billion, 2002 est. USA stands for 87% of export revenues.
Language:	Spanish	GDP/GNI per capita:	\$ 6,300/ 2,320, 2002 est.
Main industries:	Tourism, sugar processing, ferronickel and gold mining, textiles, cement, tobacco	GDP total/per sector:	\$ 21.2 billion. Agriculture 11%, Industry 34%, Services 55%, 2001 est.

Sources: the World Bank Group and the CIA-World Fact Book.

List over historical events:

1492	Columbus arrives at the Island of Hispaniola.
1821	Independence from Spain.
1822-44	Haitian invasion and occupation.
1844	27 th of February: Independence from Haiti. Declaration of new Constitution (presidential, republican).
1861-65	Spanish Rule.
1865-16	High instability, weak economy. 65 governments 1865-1899, 20 constitutions 1844-1916. Political life dominated by regional "caudillos".
1916-24	US invasion and rule. The US builds up the police force, which becomes Trujillo's institutional power base.
1930-61	Trujillo regime. Recognised as one of the worst dictatorships in Latin America. Trujillo killed in 1961.
1939	The PRD founded in exile on Cuba. The party is socialist/social-democratic.
1962	Democratically elected PRD government. Juan Bosch President. New, secular Constitution.
1963	Bosch overthrown in a coup supported by the Church, the Military and the business sector. The country was later ruled by a civilian "Triumvirate" until the 1965 revolution. The PR founded the same year by Balaguer in exile in New York.
1965	Civil war/Revolution to reinstate Bosch and US/OAS invasion to prevent this. 3.000 died in the civil war.
1966	Balaguer (PR) elected President under US/OAS supervision. Disputed election. New, and current, Constitution. Balaguer rules a one-party state till 1978, dubious elections are held in 1970 and 1974.
1972	Juan Bosch leaves the PRD and founds the PLD. The PLD is a leninistically organised socialist party.
1978	Guzmán, PRD, becomes President after a disputed election. A two party system emerges (PR, PRD).
1982	Jorge Blanco, PRD, becomes President. The PLD wins its first congressional seats.
1984	The PR changes name to PRSC. The party takes on a Christian democratic ideology.
1986	Balaguer wins the presidential election and stays in power until 1996.
1989	Jacobo Majluta leaves the PRD and founds the PRI.
1990	The PLD becomes biggest party in the Lower Chamber, a three party system emerges (PRSC, PRD, PLD). Balaguer wins the presidency in a disputed election.
1994	Balaguer wins a highly disputed election, which leads a constitutional reform and a shortening of Balaguer's presidential term to two years.
1996	Fernández, PLD, wins the presidential election in the 2 nd round. Balaguer supports the PLD.
2000	Mejía, PRD, wins the presidential election in the 1 st round.
2002	Constitutional reform which opens for one presidential reelection. Balaguer dies.

Figure 1: Maps of Central America and the Dominican Republic



Sources: http://www.lib.utexas.edu/maps/americas/america_caribbean_pol.97.jpg,
http://www.lib.utexas.edu/maps/americas/dominican_republic.gif. Accessed 10/12-2003.

1.0 Introduction: Themes of the thesis

There are two central themes in this thesis. One is the concepts and social phenomena democracy, democratic regime stability, consolidation of democracy and breakdown of democracy. The other theme is how political institutions affect these phenomena.

The last few years Latin America has experienced a return of conflicts that have put the newly won democracies in peril.¹ We might ask if the third wave, which was a Latin American wave *par excellence* (Przeworski et. al. 2000), is going through a slow death (O'Donnell 1992). It is therefore pertinent to assess, and reassess, where the political regimes of Latin America stand today especially with respect to democracy, regime stability and consolidation of democracy. Wiarda (1998: 185) argues that “...it is clear that the Dominican Republic and almost all the other Latin American countries, lie at some intermediate points on the authoritarian-democracy spectrum”. They are what we might call semi-democratic or hybrid regimes. He writes: “We need...a set of conceptual tools ... for various intermediate stages between authoritarianism and democracy” (Wiarda 1998: 194). Mainwaring et. al. (2001) have skilfully assessed the Latin American regimes. However, they did not meet Wiarda’s request, and failed to improve the existing conceptualisation of regimes. By the use of a case study, I take on Wiarda’s challenge of creating a better set of conceptual tools to classify political regimes.

Why classify regimes? As social scientists we are not only interested in classifications. Our goal is to explain social phenomena (Przeworski & Teune 1982: 17). We want to identify and establish factors, or independent variables, that can explain why a regime becomes democratic, semi-democratic or authoritarian. However, if we do not have a good classification of regimes, or if we misclassify regimes, we might be led towards wrong conclusions regarding the importance of variables predicting or explaining these outcomes. Any study of factors or variables explaining

¹ Some examples are Fujimori’s “autogolpe” in 1992 in Peru, two failed coups in Venezuela in 1992 and one failed coup in 2002, a failed coup in Ecuador, chronic problems with Haiti and Aristide. In Ecuador and Venezuela the people have elected former military officers, both with failed coup attempts on their curricula. Argentina experienced in 2001-2002 a terrible economic crisis, the same has Uruguay. Nicaragua is currently trying to convict their former president Alemán for corruption. Even in stable Costa Rica, there have been some investigations regarding a possible fraud in the 2002 presidential elections. Guatemala is again struggling with human rights violations, Colombia and President Uribe is at war with druglords and guerrillas. Chile is having a hard time letting go of the ghost of Pinochet, and its authoritarian constitutional legacy. Fidel Castro’s Cuba is still led by nondemocratic one-party elites, with few signs of moderation

democracy, or democratic stability must not only be conscious of the independent variables, but also be open, clear and consistent on the classification of regimes and on the definitions of democracy, democratic regime stability and consolidation of democracy. I seek to improve classifications of democracy, democratic stability and consolidation of democracy.

I also want to explain outcomes of democracy, democratic stability, consolidation of democracy and breakdowns of democracy. I focus on new institutional theories that seek to explain and predict these phenomena. There are several new institutional scholars focusing on these themes (e.g. Linz 1990, 1994, Shugart & Carey 1992, Mainwaring 1990, 1993, and Cheibub 2002). These scholars do not agree on which effect political institutions have on democracy, democratic stability, consolidation of democracy, and breakdowns of democracy. One reason is that the new institutionalists work with different definitions and operationalisations of the same dependent variable, e.g. democratic stability is 25 years of democracy for Mainwaring (1993) and two consecutive elections for Shugart & Carey (1992). Another problem is that some use different dependent variables, e.g. survival of democracy (e.g. Cheibub 2002), democratic stability (e.g. Mainwaring 1993) or consolidated democracy (e.g. Stepan & Skach 1994). A third problem is that the new institutionalists rarely discuss their dependent variable (democracy, regime stability or consolidation of democracy). I will use a consistent set of dependent variables to compare and evaluate several new institutional theories in a single case study.

1.1 Why a single case study?

One of the goals of single case studies within comparative politics is to assess, confirm or infirm existing theories. A single case study can also use the case research to establish rival explanations and re-evaluate existing operationalisation of key variables (Landman 2000: 33). I use the case study to *discuss and highlight theoretical and methodological problems* with respect to regime classifications and institutional theories, and to *compare* and *test* various new institutional hypotheses of political institutions' effect on the political regime. I will present and operationalise new variables in order to better classify regimes and to compare competing institutional theories. I present an operationalisation of *deadlocks* between the executive and the legislative that also can be used in large-N studies, and link deadlocks to the survival and stability of a political regime and to presidential behaviour.

These new variables will shed new lights on the new institutional theories I discuss, and they will also shed new lights on my case, the Dominican Republic. I also use the case study to *assess and compare* regime classifications of my case. To improve existing regime classifications, I provide a *comparative measure of horizontal accountability* that is applicable for large-N as well as single-N studies. This launching of new variables and comparing and testing existing theories is facilitated by the use of a single case study. To avoid the problem of particularism in single case studies, the new variables I present are comparative and possible to use in Large-N studies.

I focus on the political institutions' effect on political regimes. However, there are many other factors that affect political regimes (e.g. economy, socio-economy, culture and historical legacy). Another advantage with my case study is that in my case these other factors, or variables, are kept fairly constant, while the institutional variables vary. This enables us to "isolate" the effect of political institutions on a regime.

1.2 Why the Dominican Republic?

The case of the Dominican Republic is chosen because it is a contested case with respect to regime classifications regarding democracy and the presidential character of the regime.² The period 1966-2002, and especially 1966-1978, has proven to be a difficult period to classify. The divergent classifications make the Dominican Republic a good case to assess theoretical, methodological, and empirical reasons for these differences. This case can therefore shed light on theoretical and methodological problems regarding regime classifications and institutional theories. Furthermore, the Dominican Republic is regarded as a paradigm for all of Latin America (Wiarda 1998). Wiarda argues that the democratic problems the Dominican Republic confronts are valid for all of Latin America. The ambivalent sentiments regarding democracy, lack of institutions and ungovernability are three aspects the Dominican Republic shares with

² The Dominican Republic has been classified as differently as a democratic success between 1966 and 2002 (Shugart & Carey 1992), and as authoritarian, semi-democratic and democratic by other scholars (e.g. Espinal 1994a, Hartlyn 1998a, Mainwaring 1993, Jiménez Polanco 1999 and Wiarda 1998). Case studies of the Dominican Republic conclude that the president has both formally and informally vast powers (e.g. F.D. Espinal 2001 and Hartlyn 1998a). Multiple case studies, on the other hand, argue that the president has relatively little power as compared to presidents in other countries (e.g. Shugart & Carey 1992).

almost all other Latin American countries. A case study of the democratic problems and the institutions of the Dominican Republic can therefore be valid for other countries in the region.

I also intend to use my case study to focus on aspects with the Dominican regime that has not been treated in the literature. I present new data regarding the Dominican Republic in two areas. One is with respect to *horizontal accountability*. I present budget data from 1966-2002 in order to create an indicator of horizontal accountability applicable for large-N studies. The other is in *the relationship between the executive and Congress in the Dominican Republic*. I present a new indicator to measure if there has been any “Actual Deadlock” between these institutions since 1978. I only study the period after 1978. In the period before 1978, there was never any real opposition in Congress, and a study of the executive-legislative relations would therefore be rendered meaningless.

The political history of the Dominican Republic before my period, 1966-2002, was dominated by a strong, military caudillo, Rafael Leonidas Trujillo Molina. Between 1930 and 1961, he used his army to rule the Dominican Republic with a hard hand and stayed in power until he was killed in 1961. His regime has been defined as a one-party dictatorial state (Espinal 1994a), anti-party authoritarian state (Jiménez Polanco 1999), sultanistic regime,³ and as a modern tyranny (Chirot 1994). A democratic charade was upheld to satisfy the international community. This consisted of admitting some “oppositional parties”, as long as they remained 100% loyal and not criticised Trujillo, regular elections that Trujillo won with 100% of the votes, accepting general adult suffrage in 1942 (Campillo Pérez 1982: 326), and also “puppet presidents” in various periods. This charade, however, never led any scholars to believe that the Trujillo regime was a true democracy. Even large-N studies with subminimal definitions of democracy, argue that the Dominican Republic during Trujillo’s rule was non-democratic (e.g. Przeworski et. al. 2000: 63).

³ See Hartlyn (1998a), Hartlyn (1998b), and Linz & Stepan (1996). Hartlyn (1998a) uses the term neo-patrimonial instead, but the characteristics remain the same. The most famous study on the Trujillo regime is de Galíndez 1999 who characterises the regime in much the same fashion as Hartlyn (1998b). De Galíndez places the regime among the family of Spanish-American dictatorships, or tyrannies (de Galíndez 1999: 13-16). The 1956 doctoral thesis by de Galíndez became extra famous because of his tragic destiny. De Galíndez, a Spanish exile living in the Dominican Republic until 1946, disappeared off the streets in New York in 1956. All the evidences suggest that the Trujillo regime was responsible for his disappearance.

With a legacy of sultanism/neopatrimonialism and no previous democratic experience, the Dominican Republic had poor prospects for democracy after Trujillo's death in 1961. Therefore, the democratic transition with the democratically successful election of the social democratic Juan Bosch (PRD) surprised many observers. However, the democratic interlude was short. Bosch and the PRD single-handedly, with their 2/3 majority in Congress, passed a secular constitution which also prescribed a stronger role for the state (e.g. state expropriation of private property) and wide civil and social rights for the population. This created a hard confrontation with strong societal forces as the Catholic Church, the army, the opposition parties and the business sector. In September 1963, after 9 months in power, Bosch was overthrown and exiled in a coup. The government was taken over by an unpopular, civilian "triumvirate" which ruled until the "April-revolution" in 1965. Pro-Bosch forces (constitutionalists), both civilian and within the army led a popular uprising. The US feared a communist takeover, and "another Cuba", and quickly sent 23.000 troops to the country to prevent a successful revolution (Hartlyn 1998a: 89).⁴

Under US/OAS supervision, Balaguer won the suspect 1966 presidential election. The elections were held under conditions of high levels of violence and lack of respect for civil and political rights. Therefore, this election is not considered to be a democratic transition in the same way as the 1962 election (Hartlyn 1998a: 90). The period 1966-1978 is disputed with respect to the regime's level of democracy. Espinal (1994a) argues that the regime was a continuation of the Trujillo regime more than a transition to democracy. She calls the Balaguer regime an "autoritarismo de nuevo cuño" ("a newly-coined authoritarianism"). The PR and Balaguer maintained the same discourse as the Trujillo regime, from which it had recruited many members and large parts of its leadership. The mantra was order, discipline and progress (Espinal 1994a). Espinal's stance contrasts Shugart & Carey's (1992) view the period after 1966 as a democratic success. Shugart & Carey (1992), probably, argue that the regime was democratic because there were periodic elections in the period 1966-1978. Periodic elections do not normally occur in authoritarian regimes. However, periodic elections are no guarantee that a high level of participation or contestation is upheld. Periodic elections with almost no formal limitations on

⁴ This invasion is generally regarded as an invasion that prohibited a potential democratic progress (Hartlyn 1998a: 89).

contestation were parts of a democratic charade that was maintained during Balaguer's presidencies 1966-1978. A disguised lack of real contestation combined with periodic elections is one reason for the diverging characteristics that have been connected to Balaguer's 1966-1978 rule. Even though Trujillo also was elected from time to time, it was easier to classify the Trujillo regime as authoritarian. Trujillo was a military figure who normally wore his military uniform, whereas Balaguer clearly was a civilian.⁵ The ambiguity in the Balaguer regime is an interesting point of departure for testing a new classificatory scheme for political regimes. I continue this discussion in chapter 4.

In 1978, Balaguer lost power to the PRD in a disputed election. Through a political/judicial deal ("El Fallo Histórico"), the PR was able to maintain its majority in the important Senate. The transition of power from Balaguer to the PRD is regarded as an elite settlement which paved the way for a consolidated democracy (Sánchez 1992). However, it is also seen as a democratic transition which resulted in a missed opportunity for democracy (Hartlyn 1998a). The period following the 1978 election was marked by economic crises, increasing internal problems within the PRD, and the 1978-1982 PRD administration confronted a PR majority in the Senate. It has been argued that these factors created a deadlock between the executive and the legislative, and that this deadlock contributed to the PRD's failure to further democratise and consolidate the Dominican regime. In chapter 5, I test whether there have been any deadlocks in the period 1978-2002 and I investigate the consequences of deadlocks. Contrary to the literature's expectations, chapter 5 shows that the period 1978-1986 was not marked by institutional deadlocks with respect to legislation and that there was an increase in institutional deadlocks after Balaguer's return to the presidency in 1986. Deadlocks were not the reason for the PRD's failure to democratise and consolidate the Dominican regime. On the other hand, deadlocks have not had the same destructive effect in the Dominican Republic as in other countries. They have not contributed to any breakdowns of the regime. Paradoxically, it is the strong role of the president that might have counteracted the most negative consequences of deadlocks.

⁵ A Congress was also upheld during the Trujillo regime. However, this Congress was handpicked by Trujillo, and there were just as many changes made in its composition between elections as after elections (de Galíndez 1999: 83), and it had no power whatsoever.

In chapter 6, I discuss why there was a deadlock with respect to constitutional issues. I focus on why the PRD never was able to reform the Constitution and consolidate the Dominican regime. I show that the PRD's internal crisis and the PR majority in the Senate 1978-1982 are not sufficient to explain why the PRD failed to reform the Constitution. After yet another disputed election in 1994, constitutional reform and elite pacting led to Balaguer's final exit in 1996. This changed the Dominican institutional reality. Before 1994, there were coterminous elections, plurality presidential elections and strong parties contending. According to Shugart & Carey (1992), this is an almost ideal institutional arrangement for providing democratic stability. The 1994 constitutional reforms introduced midterm elections and majority runoff presidential elections, and other reforms have contributed to weaker parties. According to Shugart & Carey (1992), this institutional arrangement is a frequently failed form of presidentialism. The Dominican case is therefore a good case to investigate the political institutions' effect on democracy and prospects of consolidation and stabilisation of a political regime. The presidential election in 1996 has been regarded as a new transition to democracy (Hartlyn 1998a) and the period after 1996 as a possible "new way" for the Dominican regime without the three "caudillos" Balaguer (PR/PRSC), Peña Gómez (PRD) and Bosch (PLD) (Spanakos 2000). And, even though the 1994 constitutional reform altered important aspects of the political institutions, the regime still confronted many of the same institutional and democratic challenges as in 1978.

1.3 The plan of the thesis

Chapter 2 provides a conceptual discussion of democracy, democratic and regime stability, consolidation of democracy, and consolidated democracy. My definition of democracy includes five criteria: Effective contestation, full participation, powers must be invested in the elected authorities, horizontal accountability and the government must respect and protect civil liberties and political. Furthermore, I present the discussion between new institutional scholars regarding the political institutions' effect on the social phenomena democracy, democratic stability and consolidation of democracy.

Chapter 3 operationalises the concepts discussed in chapter 2. I identify variables that enable me to compare the institutional theories and test their explaining power in my case. I also discuss methodological problems surrounding my own approach to the research questions at hand.

Chapter 4 is an analysis of previous classifications of the Dominican political regime, and I use my classification scheme to classify the Dominican regime between 1966 and 2002. I focus on methodological problems of other classifications, and try to establish why the classifications of the Dominican regime have been so diverse. Learning by the mistakes of others, I hope to provide a better system for classifying regimes. This chapter shows that the Dominican Republic between 1966 and 2002 has been some type of semi-democracy. The strength of my approach is that I can distinguish between various types of semi-democracies.

Chapter 5 compares and discusses several institutional theories and their predictive powers regarding deadlocks, presidential dominance and breakdowns of a regime (survival of democracy). I present comparable and numerical variables for deadlock (or executive-legislative relations) and presidential dominance. These are used to compare the predictive powers of the various theories. I also investigate the reasons for deadlocks and the consequences of deadlocks.

Chapter 6 focuses on political institutions and their effect on the consolidation of democracy in the Dominican Republic after 1978. I look at methodological problems regarding the study of democratic stability and consolidation of democracy. I evaluate whether or not the political regime between 1978 and 2002 can be regarded as stable or consolidated. I discuss former explanations to the lack of consolidation of democracy in the Dominican Republic in the period 1978-1994. I show that these are not sufficient explanations and discuss other institutional factors that prevented a consolidation of democracy in the Dominican Republic 1978-1994. I also find that the Dominican Republic per 2003 has failed to consolidate its regime, and that this is a consequence of many of the same institutional factors that prevented consolidation before 1994.

Chapter 7, final chapter, summarises the central findings in the thesis.

1.0 Introduction

This chapter has two primary goals. The first is to define and discuss important concepts for this thesis. These concepts are *regime*, *parliamentarianism*, *presidentialism*, *democracy*, *democratic stability*, *consolidation of democracy*, and *consolidated democracy*. The second goal is to present and discuss new institutional theories that focus on the political institutions' effect on deadlocks, presidential dominance and democratic regime stability.

During the first half of the 1990's there was a long scientific debate concerning which institutions enhanced or endangered prospects for democratic regime stability. These theories are placed under the umbrella of new institutionalism. The new institutionalism treats institutions as autonomous factors in political life, and not just as results of social or economic forces. They claim that political preferences are moulded through political institutions (March & Olsen 1984: 738-739). Institutions and the incentives they create for political actors are treated as independent variables explaining political outcomes. The political outcomes and dependent variables the theories wish to predict and explain are deadlocks between the legislative and executive, the effects of these deadlocks, democratic regime stability, and consolidation of democracy. There has been some debate between the defenders of rational models and institutionalists regarding the preferences of political actors.⁶ The rationalists claim that preferences are exogenously created. The institutionalists argue that these are endogenously created by the political institutions. There is no great contradiction between the rationalists and the institutionalists, as both take the effect of institutions on political preferences into account. Elster (1986: 20-24) claims that social norms (created by institutions) function as constraints on, and exclude some alternatives for actors operating within these norms (institutions). I follow Mainwaring (1993: 198) on this matter: "*Institutions create incentives and disincentives for political actors, shape actor's identities, [and] establish the context in which policy-making occurs...*". And, I support Geddes (1994: 7-11) in the presumption that politicians are interested in their political careers, i.e. getting elected, reelected and exercising power.

⁶ See Rasch (1992) and Olsen (1992).

The question is: What effect does the institutional design have on the prospects for democratic stability? The new institutionalists claim that institutions have an effect, but they do not agree on which institutions are relevant. Linz (1990 & 1994) argues that presidentialism provokes greater risks for democratic breakdown than parliamentarism. Mainwaring (1990 & 1993) claims that it is especially multiparty presidential regimes that have a negative effect on democratic stability. Cheibub (2002) argues that party systems with three almost equally sized parties are most negatively linked to democratic stability. Whereas Shugart & Carey (1992) argue that whether or not presidential regimes have a negative impact on democratic stability depends on factors like the party system, the electoral system and the power relations between the executive and legislative.

However, first, I present and discuss some of the many other theories focusing on democracy. Wiarda (1969, 1990) with respect to the Dominican Republic and Latin America, argues that it is the hierarchical and nondemocratic Spanish cultural, colonial and constitutional legacy that has given the continent problems in stabilising their democracies.⁷ Lipset (1959, 1994) emphasises the economy or socio-economic factors and argues that democracy and a positive (socio-) economic development are mutually reinforcing.⁸ Wiarda and Lipset emphasise factors that covary with presidentialism. Latin America, which has been *the* continent of presidentialism, has also been a continent of poor economic development. It is impossible to distinguish which variable is the decisive variable explaining success and failure of democratisation. On the other hand, countries like Spain, Costa Rica and India have proven that culture and (socio-) economy

⁷ The Dominican Republic was a Spanish colony from 1492 till 1821. Studies in the Dominican Republic report that in the nineties, sentiments towards democracy have remained fairly stable. In 2001, 77% responded that they supported democracy. In 1997, the figure was 74%. This is quite high in a Latin American comparative perspective (Duarte & Brea 2002: 16-17). On the other hand, there is an undercurrent of strong discontent with the governments' effort and achievements. In Duarte & Brea's (2002) index for authoritarian propensity 52.2% showed a high or very high propensity for authoritarianism in 2001. In 1994, the number was 54.5%, only 18.5% in both enquiries showed no or a low propensity for authoritarianism (Duarte & Brea 2002: 41).

⁸ For the economic arguments, see: Lipset, Seong & Torres (1993). For a more general socio-economic argument, see Lipset (1994). Despite an annual growth of 4.1% in the GDP per capita 1990-2000 (World Bank Data), the Dominican Republic remains poor and underdeveloped. The world economic crisis in addition to internal debt and bank crisis stopped the late nineties growth in 2002, and led to inflation and economic decline. Socio-economically the country is still "poor", 25% of the population lived below the poverty line in 1999, and the reported unemployment level was 13.8% (CIA-World Factbook). The illiteracy rate has remained stable at 16% since 1990, but down from 35% in 1960 (Hartlyn 1998a: 285 & World Bank Data). GNI per capita was 2,320\$ in 2002, up from 1,810\$ in 1998 (World Bank Data). Agriculture occupies 17% of the work force, while producing 11.3% of the GDP (CIA-World Factbook).

do not determine that you cannot have a well functioning democracy today.⁹ Another point is that the Spanish colonial legacy is not the same in all of Latin America (Hartlyn 1998a).

Linz & Stepan (1996) and Bratton & van de Walle (1994, 1997) focus on historic institutions, and former regime types to explain success or failure of democracy.¹⁰ In short, the more repressive and less institutionalised the previous regime is, the lesser are the chances for democratic success. O'Donnell (1992) argues the opposite and asserts that the more repressive the former regime, the higher the probability of succeeding in stabilising the new democratic regime. Higley & Gunther (eds. 1992) have a more voluntarist approach and argue that the mode of transition is important for creating a stable democracy. No elite settlement combined with a mass mobilisation is conducive to a reactive sequence with reversion to authoritarianism.¹¹ These are all theories of path dependency, which assume that once a particular event occurs, the course of the following events is altered forever.¹² Historical institutionalism is path dependency explaining “*self-reinforcing sequences*”, whereas O'Donnell (1992) argues that successful consolidation is more likely as a “*reactive sequence*”.¹³ Former regime types do not always determine the outcome after the fall of the non-democratic regime. The students of former regime types also admit to this, and allow for an integrative structuralist and voluntarist approach (Snyder 1998). Although one cannot say with certainty what is most influential on democracy, I focus on political institutions in my thesis, well aware of both economic, historic, path dependent and cultural theories. I focus on institutional variables that influence democratic stability because these have varied between 1996 and 2003. The other variables have remained relatively stable.¹⁴ The Dominican Republic scores negatively on any of these theories on the prospects for democracy. Spanish colonial history is part of the “negative” cultural tradition, economically and

⁹ Other countries could be added to the list, but these three are relatively stable democracies today.

¹⁰ Hartlyn (1998a & 1998b) argues that the former regime type in the Dominican Republic is (neo-) sultanistic or neopatrimonial. The people in the Dominican Republic still have strong feelings for a strong and paternalistic leader. In 1989, 62.2% of the Dominicans believed that “*some strong leaders would do more for the country than laws and speeches*”, and in 1992, 68% thought the country needed a “*hardhanded*” (“*mano dura*”) government (Brea et.al. 1995: 226). Between 1994 and 2001, the patrimonial sentiments have increased. In 2001, 86% answered that “*A good president should be like a father you can go to resolve the problems*”, and the figures were 82% and 76% in 1997 and 1994, respectively (Duarte & Brea 2002: 26).

¹¹ Sánchez (1992, 1997, Unpublished manuscript) argues that the Dominican Republic reached an elite settlement in connection with the transacted change of power between Balaguer (PR) and Guzmán (PRD) after the disputed 1978 election.

¹² Two seminal “path dependency works” are Rustow (1970), and Dahl (1971).

¹³ Expressions are from Mahoney (2000: 508-509).

¹⁴ See previous footnotes in this chapter.

socioeconomically the Dominican Republic is still struggling, furthermore the country has a sultanistic and neopatrimonial legacy (Hartlyn 1998a, 1998b) which is negative for pacted transitions to democracy (Linz & Stepan 1996, Bratton & van de Walle 1997).¹⁵

The rest of the chapter proceeds as follows. In section 2 I define the concepts of regime, presidentialism, parliamentarism, and democracy. This is discussed further in chapter 4. Section 3 discusses the debate between the new institutionalists. These theories are discussed and compared in chapter 5. Section 4 defines the concepts of regime stability, consolidation of democracy, and consolidated democracy, which are treated in chapter 6.

2.0 Definitions of Core Concepts

First we must define a political regime. A political regime is: *"...sets of political procedures – sometimes called the "rules of the political game" – that determine the distribution of power"* (Bratton & van de Walle 1997: 9). Scholars vary on including only formal, or both formal and informal institutions and procedures, but Bratton & van de Walle's (1997) definition is fairly accepted. Linz (1990, 1994), Mainwaring (1990, 1993), and Shugart & Carey (1992) are interested in differentiating between presidential and parliamentary regimes,¹⁶ and between democratic and non-democratic regimes.

Presidentialism or parliamentarism are different institutional arrangements of democratic regimes. In my view a regime can be either democratic, non-democratic or somewhere in between (see chapter 3). In democratic and semi democratic regimes, it is important to distinguish between parliamentary and presidential systems. And, it is only in democracies or semidemocracies that it is interesting to distinguish between presidential and parliamentary

¹⁵ The exception is the Dominican Republic's elite settlement and pacted transition in 1978. According to Sánchez (1992, 1997, Undated) this gave the Dominican Republic a good point of departure for creating a consolidated democracy.

¹⁶ Here as elsewhere, I do not take into consideration other types as semipresidential regimes. Shugart & Carey (1992: 55-75) call semipresidential regimes president-parliamentary or premier-presidential regimes.

regimes.¹⁷ When comparing democratic regimes to types of authoritarian regimes other criteria are more relevant (see Linz & Stepan 1996: 38-55).

The Dominican Republic is a pure presidential system (see chapter 4) and presidentialism can be defined as:

1. the popular election of the chief executive;
2. the terms of the chief executive and assembly are fixed, and are not contingent on mutual confidence;
3. the elected executive names and directs the composition of the government [and]
4. the president has some constitutionally granted lawmaking authority.” (Shugart & Carey 1992: 19).

This is a generally accepted standard definition.¹⁸ Parliamentarism on the other hand can be defined as: “...a political regime that is based on the parliament’s control over who creates the government”.¹⁹ Sartori (1994a, 1994b) argues that there are various types of parliamentarism, but says that a parliamentary regime: “require[s] governments to be appointed, supported and, as the case may be, discharged, by parliamentary vote” (Sartori 1994b: 101). This is in essence the same as Damgaard’s (1997) definition. The main differences between the regimes are that in presidential systems terms for both the executive and legislative are fixed, whereas in parliamentary regimes they are not.²⁰ And, in a presidential regime the chief executive is directly elected, in a parliamentary regime the government is indirectly elected by the parliament.

2.1 Democracy

The concept “democracy” is much debated. However, there is an increasing consensus on procedural rather than substantive definitions. The procedural consensus refers to democracy as a set of rules and procedures.²¹ These procedures should be written in laws and constitutions, and

¹⁷ I return to this point in the next chapter where I discuss how to methodologically understand the concepts of democracy and the relationship between a regime’s form of government and its degree of democracy.

¹⁸ There are some minor differences in the definitions. Sartori (1994a: 106, 1994b: 83-84) does not include criterion 4, whereas Linz (1994: 6) only includes the first two. Lijphart ((1989) cited in Shugart & Carey 1992) specifies that there should be a one-person executive. However, this has not led to confusions on classifying presidential regimes.

¹⁹ Erik Damgaard (1997: 187). My translation.

²⁰ In all parliamentary regimes except Norway, the executive has some powers to dissolve the parliament and call for new elections.

²¹ The (probably) most cited procedural definition of democracy is Schumpeter’s (1947: 269): “...the democratic method is that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote”.

also be acted upon by the political actors.²² Substantive definitions of democracy include requirements on political outcomes (e.g. economic growth, distribution of wealth, degree of public services, level of participation, etc.).

In my view outcomes of democratic procedures cannot be definitional criteria of democracy. The outcomes are what the politicians, and voters, disagree on within the democratic rules of the game. There is no general agreement of which outcomes that are the best for the "people", some segments of the people, or interest groups or classes within the "demos".²³ This is what the democratic "fight" is all about.²⁴ Democracy provides the environment and the rules within which disagreements, and compromises can be made, these together create uncertainty about political outcomes.²⁵ A substantive definition of democracy would also make it impossible to measure the effect of democracy on the economy, economic growth, general well being, and socio-economic conditions. Przeworski et. al. (2000) use this as an argument against substantive definitions of democracy. This is not necessarily a good argument since the meaning of democracy should not be guided by what we want to measure. This could lead to "definitional gerrymandering", a new definition for every new study (Collier & Levitsky 1997: 445). We need a general agreement on the concept of democracy. Consequently, this would help us to uniform definitions of regime stability and consolidation of democracy, and classifications of stable democratic regimes and consolidated democracies. How you define democracy determines how you classify a regime, and is salient to this thesis.

²² Webster's 7th new Collegiate Dictionary (1965: 678) defines a procedure as: "1) a particular way of accomplishing something or of *acting*; 2) a series of steps *followed* in a regular definite order; 3) a traditional or established way of *doing* things." My italics.

²³ There is a question of who constitutes the demos, or the people; this is treated by both Linz & Stepan (1996) under the concept "stateness", and also by Bratton & van de Walle (1997). This has been a problem in my case with respect to second generation Haitian immigrants, black Dominicans and Haitian-Dominicans being deported and denied their right to vote (see Sagás 2000 and Howard 2001). However, this is not a central topic for this thesis, and will not be discussed here.

²⁴ Sartori (1987) argues much the same, saying that discussion and dissent over governmental policies is the essence of democratic governance. Quoted in Valenzuela (1992: 82-84).

²⁵ Przeworski (1991: 12-14) professes the uncertainty of political outcomes as a main character of democracy. He argues that democracy institutionalises uncertainties about political outcomes, and that this constitutes a central difference between a democratic regime and a nondemocratic regime. This view has been criticised by Mainwaring (1992). Mainwaring (1992) argued that the uncertainties regarding consequences of policies to citizens are much higher in an authoritarian regime than in a democracy.

Despite the consensus on a procedural definition of democracy, there is no general agreement on how many criteria to include. I include five procedural criteria in my definition of democracy. This constitutes an expanded minimal definition of democracy. This is facilitated by the fact that this is a case study of the Dominican Republic, which enables me to gather much information about a single case. For large N approaches it is normally not possible to gather information on many criteria. A solution in Large N studies is to include only one criterion, contestation (Przeworski et.al. 2000). This would constitute a subminimal definition of democracy. Or, one could add participation (e.g. Dahl 1971) and respect for civil liberties and political rights (e.g. Shugart & Mainwaring 1997). These definitions are minimal definitions of democracy.

2.1.1 An expanded procedural definition of democracy

1) *Contestation* is the first criterion. This must be exercised through regular and free elections. Free in the sense that they allow for *opposing parties* and *candidates* to compete in elections for both the executive and legislative powers. Schumpeter (1947) emphasises this as *the* definitional criterion of democracy.²⁶ Lipset (1994), Lipset, Seong & Torres (1993), Przeworski et. al. (2000), Lawson (1993), Linz (1994) (who emphasises regularity), and Huntington (1991) also adheres to this subminimal definition.²⁷ A point often omitted by the scholars who emphasise contestation for both the executive and the legislative, is that both institutions also should have power.²⁸

2) Dahl (1971) lists two necessary conditions for democracy, or polyarchy, as he calls it. These are public *contestation* and *participation*. A democratic regime should allow a high degree

²⁶ I add the regularity of elections here, and also include both the legislative and executive, although Schumpeter does not explicitly include this. The centrality of regular elections has often led scholars to omit regularity in their definitions. I am quite sure that most scholars would agree that elections must be regular for a regime to be classified as democratic.

²⁷ Huntington's (1991) discussion of democracy is not consequent. He clearly defends a minimal definition (Schumpeter's), but also includes *limitations on power for the elected rulers* (this could mean *horizontal accountability*, or *respect for civil and political rights*), *participation*, and, as Schumpeter (1947), that the elected officials must have the political power. His definition would then constitute an expanded minimal definition, and not a subminimal definition. But, since Huntington argues strongly for the subminimal definition, I choose to include him here. See Huntington (1991: 5-13).

²⁸ Power is another disputed concept within political science and comparative politics. By power I understand the ability to make someone do something he otherwise would not have done.

of both public contestation and participation to be called a democracy.²⁹ Dahl's (1971) definition is alongside Schumpeter's, the most accepted procedural definition today. O'Donnell (1994) and Burton, Gunther & Higley (1992) prefer Dahl's definition. It is minimal, but not subminimal. If we include Dahl's eight institutional guarantees it would be an expanded minimal definition.

3) J. Samuel Valenzuela (1992) argues for an expanded procedural minimal definition including my criteria 1 and 2, but adding that *the elected government must have effective power to rule*. This is to avoid conceptual stretching, i.e. travel with the concept of democracy without losing its connotative precision (Sartori 1970: 1034-1035). His definition of democracy differentiates better between democratic regimes and nondemocratic regimes.³⁰ Including this criterion enables him to exclude political regimes where *tutelary powers* exist in the hands of nondemocratic institutions, e.g. the military controlling some actions of the democratic government, or revoking political decisions (e.g. Guatemala in the eighties and nineties) from the "democracy club". He can also exclude regimes that have *reserved domains* of authority that remove some policy areas from the control of elected officials to nonelected institutions (e.g. Chile after Pinochet). Note here that we are talking of nondemocratically created reserved domains, and not democratically created reserved domains.³¹

Whereas Valenzuela's (1992) concern was to focus on *non-democratic* limits on democratically elected powers, the next criteria have the opposite goal. Criteria 4 and 5 focus on *democratic* limits on democratically elected powers, especially the executive's powers.

²⁹ Dahl (1971) calls these regimes polyarchies, arguing that democracy is an ideal form. I prefer to call them democracies although I agree with Dahl that no modern regime can meet the democratic procedural criteria perfectly. He also lists eight institutional guarantees for his dimensions of participation and contestation: "1. Freedom to form and join organizations; 2. Freedom of expression; 3. Right to vote; 4. Eligibility for public office; 5. Right for political leaders to compete for support; 5a. Right of political leaders to compete for votes; 6. Alternative sources of information; 7. Free and fair elections; 8. Institutions for making government policies depend on votes and other expressions of preference" (Dahl 1971: 3-4).

³⁰ Valenzuela (1992) was not the first to add this criterion to the definition of democracy, but alongside Karl (1990) he is given the credit for precisizing the definition of democracy with this criterion, see Collier & Levitsky (1997: 443). Schumpeter (1947: 269) and Huntington (1991: 10) also touch this point in their definitions.

³¹ These tutelary powers or reserved domains need not be held by the military. E.g. in Haiti when President René Preval (1996-2001) ruled. Preval was considered to be a puppet for ex-president Aristide. Power was generally considered to be in Tabarre (in Port-Au-Prince) where ex-president Aristide resided, and not with the elected president (Fattouh 2002: 8-26).

4) Schmitter & Karl (1991: 76) argue in their definition that *horizontal accountability* should be included as a criterion for democracy:³²

"Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives."

And, accountability is that: "A is accountable to B when A is obliged to inform B about A's (past or future) actions and decisions, to justify them, and to suffer punishment in the case of eventual misconduct" (Schedler 1999: 17). The concept includes both answerability and enforcement or potential for negative sanctions.³³ This means that an institution other than the executive must be able to sanction the executive. Horizontal accountability distinguishes between a rule by law and a rule of law. The difference is that in the latter, the rulers, a king, or the executive must obey and follow the laws, and if the laws are broken, the ruler(-s) can be punished, or held accountable. O'Donnell & Schmitter (1986: 8) introduced this criterion. Their and O'Donnell's (1994) concern is that the elected executive remains unchecked, and with no limits on its powers. In their line of reasoning this can lead to authoritarianism.

Critics say that since the executives are democratically elected, including this criterion would lead to a non-minimal definition, i.e. including a criterion that is redundant for defining democracy.³⁴ I disagree. When including contestation for both the legislative and the executive, this also presupposes that both institutions should have powers, but distinct or competing powers. The powers allocated in each institution should correlate with the functions each institution is set out to accomplish.

I emphasise horizontal accountability for two reasons. First, no study has been made of the regime of the Dominican Republic including both Congress and the Presidency, and the interactions between them in an integrative approach. A presidential democratic regime consists always of at least two nationally elected institutions, the legislative and the executive, and a study

³² Also Valenzuela (1992: 60) includes horizontal accountability as a criterion for democracy; however his emphasis is on non-democratic constraints on democratic power.

³³ Schedler (1999: 17-18) argues that the concept of accountability is radial, and that diminished subtypes of accountability are possible. Radial concepts are discussed in the next chapter.

³⁴ If they were not democratically elected, they would of course not be democratic at all. For criticism of horizontal accountability as a criterion for democracy, see Collier & Levitsky (1997: 445), and Mainwaring et. al. (2001: 41).

of regime types and democracy, needs to deal with both.³⁵ In the case of the Dominican Republic scholars have focused on the presidency (Hartlyn 1998a, 1998b), political parties (Jiménez Polanco 1999, Agosto & Cueto Villamán 2002), the constitution (F.D. Espinal 2001, Peña Gómez 2000) or elections (Campillo Pérez 1982, Díaz S. 1996, Grullón 1999). There is a lack of scientific work on the Dominican Congress, with the exception of Cueto Villamán & Alcántara Sáez (2002) who made a survey of attitudes and political values in the Dominican Congress. The second reason is O'Donnell's (1994: 56) notion of a difference between democracy in, at least, some Latin American countries (O'Donnell mentions Argentina, Brazil, Peru, Ecuador, and Bolivia) and the western world. Even though O'Donnell (1994) does not include horizontal accountability as a feature of democracy, he argues that the difference between western democracies and democracies in Latin America is the lack of horizontal accountability in Latin America. I believe this is the case in the Dominican Republic as well. Most scholars emphasise the enormous powers of the presidency. A powerful president does not necessarily mean that there is a lack of horizontal accountability, but this tends to be the case (Linz 1994).

Furthermore, this is a procedural criterion, which refers to the rules and procedures regulating the relationship between the executive and the legislative, the judiciary, and other institutions that provide control over government actions.

5) The last criterion is Mainwaring et. al.'s (2001: 39-41) inclusion of the *protection of civil liberties and political rights*.³⁶ Along with Schmitter & Karl's (1991), Mainwaring et. al.'s point is that without this criterion for democracy, none of the other criteria can be guaranteed.³⁷ This constitutes an understanding of democracy as a bounded whole (Sartori 1987). Political contestation cannot be meaningful, they argue, if repression threatens the people's lives, freedom of speech, and right to assembly. However, even if civil liberties and political rights are respected, this does not mean that a regime automatically satisfies the criterion political contestation. This means that both the criteria contestation and protection of civil liberties and

³⁵ In a parliamentary system, the executive is indirectly elected via the parliament. This lack of democratic "efficiency" (see Shugart & Carey 1992), is compensated by the fact that a government in a parliamentary system does not have fixed terms, and can at any time, be removed by a vote of no confidence.

³⁶ This criterion is included in Dahl's eight institutional guarantees, but these eight guarantees are normally not operationalised in comparative studies of democracies.

³⁷ Mainwaring et. al. (2001) do not include horizontal accountability in their definition of democracy.

political rights are necessary components of democracy. Furthermore, political contestation is only up for evaluation during electoral periods, whereas respect for civil and political rights should be a continuing effort by the authorities. Mainwaring (1993: 201), Bratton & van de Walle (1997) and Shugart & Mainwaring (1997: 14) subscribe to this definition, although they do not include my criteria 3 and 4. Even though both my criteria 4 and 5 include what we might define as democratic limits on elected rulers, both should be included. These two criteria focus on distinct limits on democratically elected governments.

By including all five criteria in my definition, mine is an expanded procedural definition of democracy, which opens for a finely graded labelling of democracy, and is thus able to avoid the problems of conceptual stretching. I return to this in chapter 3.

3.0 The new institutional debate

Many have criticised presidentialism as a form of regime.³⁸ Lijphart (1994) criticises presidentialism for its majoritarian tendencies, and argues for a parliamentary formula. Sartori (1994a) supports this criticism, but does not propose parliamentarism as the "best" form of rule. He advocates semipresidentialism or semiparliamentarism as better than the "pure" forms. Stepan & Skach (1994) on the other hand, show statistically that parliamentarism outperforms presidentialism in reaching policy goals and creating stable or consolidated democracies. In this section, I discuss the new institutional debate on presidentialism and I focus on the views of Linz (1994), Mainwaring (1993), Cheibub (2002) and Shugart & Carey (1992).³⁹

3.1 The Failure of Presidentialism: Linz

Linz's (1990, 1994) articles are not empirical; they attack the logic of the presidential system. His critique deals with three issues: Dual democratic legitimacy, fixed terms and weak parties.

³⁸ Some are collected in Linz & Valenzuela (eds. 1994) *The Failure of Presidential Democracy. Comparative Perspectives. Vol. I.*

³⁹ Linz's original attack on presidentialism was the article *The Failure of Presidentialism* in *Journal of Democracy* (Linz 1990), which circulated during the latter half of the eighties in an unpublished version, and was known and commented on before publication. The Linz (1994) article is a revised and longer version of the 1990 article taking into account and also answering some of the criticisms raised by other scholars. These answers are not presented here (see Linz 1994: 74). Mainwaring also published two articles on presidentialism (1990 & 1993); I concentrate on the latter which discusses party systems and presidentialism.

3.1.1 Dual democratic legitimacy

In a presidential system, as opposed to a parliamentary system, both the executive and the legislative enjoy direct legitimacy from the people through elections. According to Linz this poses some problems for the relation between the elected institutions. The president could claim that he represents the people and that he possesses the "true" legitimacy of the people, however the legislative is also directly elected. This means that there is no method to decide who truly "embodies" the will of the electorate. The problem arises when the opposition has the majority in the legislative assembly (-ies). In this situation, who represents the "true will of the people"? Institutionally, there is no way to decide which institution is "...*better legitimated to speak in the name of the people...*" (Linz 1994: 7). And, in case of conflict between the legislative and the presidency: Who will prevail? In parliamentary systems, the legislative prevails since the government's survival depends on support in the legislative. In order for a president to resolve a conflict, or deadlock, a president might be tempted to bypass congress in a number of ways. A president could dissolve congress as Fujimori did in Peru 1992, rule by decree like Yeltsin in Russia after the 1993 Constitution, or the president might rule in the fashion of a delegative democracy as defined by O'Donnell (1994) (e.g. Argentina under Menem)⁴⁰

Another problem with the dual democratic legitimacy is that it might make it hard for the voters to hold the politicians accountable in elections. When an opposition holds the majority in congress, it is hard for the voters to identify whom to hold accountable for an administration's policies.⁴¹ This is also true when the president has a majority in the legislative assembly. Due to the personalistic character of the presidential office, a president might still blame the legislative for not supporting his agenda. Linz (1994: 13) concludes: "*accountability with separation of powers is not easy to enforce*".

⁴⁰ O'Donnell (1994: 60) says that due to the plebiscitary character of presidential elections, it might give the president the notion of being "*the embodiment of the nation and the main custodian and definer of its interests*". Since the president defines the interests of the nation, he is not bound by any opposing majority in the legislative or by promises made in the electoral campaign.

⁴¹ However, this problem does not occur solely in presidential regimes. In a parliamentary regime with a minority government, the same problem arises.

3.1.2 Fixed terms, rigidity

Because of the fixed terms of both the president and the legislative "*The political process...becomes broken into discontinuous, rigidly determined periods without the possibility of continuous readjustments as political, social, and economic events might require*" (Linz 1994: 8). Instead of providing stability, as the defenders of presidentialism claim, Linz argues that presidentialism narrows the scope of action for the politicians in times of crisis. The opposition cannot remove an unpopular president by a vote of no confidence in congress, and the president cannot reinforce his authority by demanding a vote of confidence, nor can he vindicate himself in front of the electorate by calling for new elections. This can, during severe crises, lead to a nonconstitutional removal of a president, i.e. a coup as in Chile -73, dissolution of congress as in Peru -92, or immobilism and no solution until the next election. And, when reelection is not possible, the presidential system with its fixed terms creates a certain political style:

"...the consciousness that time to carry out a program associated with one's name is limited must have an impact on political style in presidential regimes. The fear of discontinuity in policies and distrust of a potential successor encourage a sense of urgency,... that might lead to ill-designed policies, rapid implementation, impatience with the opposition, and expenditures that otherwise would be distributed over a longer period of time or policies that might contribute to political tension and sometimes inefficacy" (Linz 1994: 17).

The no reelection rule in the Dominican Republic after 1994 might have created such a political style during the Fernández presidency (PLD, 1996-2000). Fernández promised new and more democratic tidings after 10 years with Balaguer, but had little time to do so. The urgency under which reforms were implemented created conflicts with the opposition. However, chapter 6 also shows that this urgency prolonged the virtuous institutionalisation after 1994.

The rigidity and the dual democratic legitimacy create a zero sum game of politics. The winner of the presidency wins it all for the whole electoral period, the loser, loses it all. An elected president does not need to share the power. A president can freely appoint and dismiss members of government and large parts of the bureaucracy.⁴² Because a president does not stand the risk of losing powers midterm, he has no incentives to share powers or create a coalition government. And, because a president does not need a majority in congress, he has lesser incentives to build broad and stable coalitions than a prime minister in a parliamentary regime. Przeworski (1991:

⁴² There are differences in the presidential powers regarding appointments to the executive. In the US, the Senate has the powers to "advice and consent". For an elaboration of presidential powers on this and other matters, see Shugart & Carey (1992: 131-167). In the Dominican Republic the president personally appoints all employees in the bureaucracy, and not only the top officials in the government.

34-35) argues convincingly that the loser, since he loses all, has lesser incentives to stay in the democratic game under presidentialism than under parliamentarism, where power sharing is more frequent. Because of this, fraud and irregularities in the electoral process are more likely to occur. The opposition and the incumbent have higher incentives to break the rules in order to win. Hartlyn (1994, 1998a) asserts that this is one of the causes of the crisis-ridden elections in the Dominican Republic.

Linz also argues that the rigidity increases polarisation because the stakes are so high in the elections and the prize (the presidency) is won for a fixed period. The plurality rule might strengthen polarisation by producing close two-candidate races. Greater polarisation makes it difficult for a president to negotiate a majority that supports his policy agenda, which in turn, might lead to deadlock and further risk the stability of the regime. The 1970 presidential election in Chile is a good example of the negative effects of the plurality rule in presidential elections (see Hovi & Rasch 1994: 149).⁴³

3.1.3 Presidentialism and weak parties

Linz argues that presidentialism creates weak parties. Although Linz does not define what he means by weak or strong parties, it is clear that he identifies weak parties by the lack of party discipline. A president who does not enjoy a majority in the legislative needs weak parties to secure a majority for his policies. If the majority opposition had strong party discipline, deadlock could be the result, especially in highly polarised party systems. Even though a majority president wants a strong party discipline, he has to favour weak parties because any president may risk the possibility of not having a majority in the legislative (Linz 1994: 34-35). This leads to the myth of strong leadership. Weak parties also create weaker coalitions. Defections from the party line is obviously more common in weak parties than in strong parties. Although Linz criticises strong presidents, he argues that the inherent weak party structure and the personalisation of the electoral campaign lead to weak, inexperienced candidates with little support in congress. It is a paradox that Linz criticises presidentialism for creating both too strong presidents and impotent

⁴³ In 1970, Allende won 36.6% of the votes (Shugart & Carey 1992: 247). Being the extreme candidate, he, probably, was the least preferred of the three candidates by the other 63.4% of the voters.

presidents at the same time. I leave this paradox aside, and look at the effect of the party system on democracy.

3.2 The party system and Presidentialism

Mainwaring (1990: 158) agrees with Linz's arguments, but states that it is especially in multiparty presidential regimes that these arguments hold. His arguments as to why multiparty presidential regimes are less prone for stabilisation of democracy are threefold:

1) These regimes are more likely to produce deadlock/immobilism between the executive and legislative assembly (-ies). Multiparty presidential regimes are more likely to produce minority executives than two-party regimes, and presidential regimes lack the incentives and mechanisms to avoid deadlock that parliamentary regimes have (vote of confidence, call for new elections) (Mainwaring 1993: 200, 214-219). Shugart & Carey (1992) on the other hand, argue that the reason for this is the electoral system, not multipartism.

2) Multiparty presidential regimes are more likely to produce ideological polarisation than two-party systems. Disagreeing with Linz (see above), Mainwaring claims that in a two-party system preferably with high entry barriers for new parties, the parties will have to fight for the voters at the centre of the political space. This encourages moderation for the parties, and favours political stabilisation (Mainwaring 1993: 200, 219-220).

3) Since multiparty presidential regimes often produce minority governments, the president needs to create a coalition to implement his policy agenda. Interparty coalition building in presidential regimes is a difficult task for three reasons: i) The president himself chooses his ministers, and the parties often have little to say in the process. This makes the parties less committed to the government than in a parliamentary regime where the parties pick the ministers. ii) Because of the weak party system, individual legislators of the governing party (-ies) are less likely to support the government. iii) The incentives for parties to form coalitions are less in a presidential regime than in a parliamentary one, since a president is elected for a fixed term (Mainwaring 1993: 200, 220-222).

Mainwaring (1990: 168-169) argues that to avoid immobilism a president who lacks majority support in the legislative can, unless a coalition government is created, attempt to bypass congress, seek to reform the constitution to get broader powers, or buy off legislators with "pork barrels" to get support. Mainwaring suggests changing the system from a presidential to a semipresidential or parliamentary regime, or take measures to prevent party system fragmentation.

3.3 Deadlocks and survival of democracies

The risks for presidentialism lie in deadlock situations and inter-branch conflicts. Linz and Mainwaring argued that the deadlock situation arises when the president does not enjoy a majority in congress. This is because of the inherent problems in presidential regimes of creating coalitions. Cheibub (2002) and Shugart & Carey (1992, see below) argue that it is not that simple. We have to take into account other features of the political system than just its presidential character and the number of parties. The problem of deadlock in presidentialism is connected to the fact that presidents are elected for fixed terms, and that most presidents have some kind of veto powers.⁴⁴ In a parliamentary regime, parliament can dismiss the government through a vote of no confidence. To avoid deadlock situations in presidential systems, congress is equipped with the power of veto override.⁴⁵ Depending on the veto powers of the president and the rules for overriding the veto, a regime is more or less inclined to encounter deadlock situations. Cheibub (2002: 290-291) mentions one especially deadlock prone combination: When the president has veto powers and the veto override is by a two-thirds majority in each chamber separately. This is the situation in the Dominican Republic (see chapter 4).

Table 1: Cheibub's Deadlock situations

Seats held by President's party in Upper house:	Seats held by president's party in lower house:		
	0% - 33%	33.3% - 50%	> 50%
0% - 33%	Possible veto; opposition overrides ("opposition rules")	Possible veto, opposition cannot override in lower house.	Possible veto, opposition cannot override in lower house.
33.3% - 50%	Possible veto; opposition cannot override in upper house	Possible veto; opposition cannot override in either house.	Possible veto; opposition cannot override in either house.
> 50%	Possible veto; opposition cannot override in upper house	Possible veto; opposition cannot override in either house.	No veto: ("president rules")

Note: Adapted from Cheibub (2002: 291). Potential deadlock situations are in bold.

⁴⁴ Only Switzerland today has a president without a veto power (Cheibub 2002: 290).

⁴⁵ In Cyprus the president has veto, but congress does not have powers to override a veto (Cheibub: 2002: 290).

In this situation, the only combination of the distribution of congressional representation when deadlock is not to be expected is when the president's party has more than 50% representation in both chambers, or when the opposition enjoys more than a two-third majority in both chambers (see table 1). All other combinations are potential deadlock situations (in bold in the table).

Cheibub (2002) did not find any empirical support for his theory that presidential regimes with deadlock situations break down more frequently than other presidential regimes.

However, his empirical research demonstrated other results. Contrary to the theory of Mainwaring, Cheibub suggests that it is not polarised pluralism (more than 5 effective no. of parties), that endangers presidential regimes, but moderate pluralism (effective no. of parties between 3-4).⁴⁶ The reason for this could be, as Mainwaring and Linz suggest, that with 3-4 effective parties the president loses his majority in congress. But, Cheibub (2002: 299-300) argues that with 3-4 effective parties there are normally three more or less equally sized parties. This makes compromises difficult and unstable because agreements between two parties, enough for a majority in congress, can be outbid by the third party. The result is a chronic instability of majority coalitions with any two of the three major parties.

3.4 A conditional defence for Presidentialism

Shugart & Carey (1992) deliver a conditional defence for presidentialism, and refine the arguments regarding institutions and democratic stability. As they say, they take a more practical stance. No Latin American country that democratised in the third wave opted for parliamentarism.⁴⁷ Therefore, it is more important to study under what conditions presidentialism might work. To assess democratic stability, Shugart & Carey (1992) add variables such as the electoral system (electoral cycles and rules), the party system (dependent on the electoral system), and the powers of the presidency. Shugart & Carey (1992) are also interested in how these variables affect the trade off between efficiency and representativeness. Efficiency is

⁴⁶ Effective number of parties refers to the Laakso/Taagepera index first published in 1979.

⁴⁷ It should be needless to say that the expression of the "third wave" comes from Huntington (1991), and refers to the transitions to democracy in the period from 1974 (Portugal) till 1990 (Eastern Europe). Curiously, Dahl (1971: 11) also uses the term "waves of democratisation", although the third wave has a different meaning as the further democratisation of already democratised countries. In Brazil, there was a referendum on the parliamentary issue in 1993, but it was turned down. Brazil also has a former history of parliamentarism (1961-1963).

defined as: "...the ability of elections to serve as a means for voters to identify and choose among the competing government options available". While representativeness: "...refers to the ability of elections to articulate and provide voice in the assembly for diverse interests" (Shugart & Carey 1992: 7-8). They argue that parliamentary regimes only provide one of these democratic values, while in a presidential regime equilibrium between both is possible to reach. Disagreeing with Linz (1990, 1994), they state that a president represents the efficiency in the system, while a proportional electoral system for the legislative secures the representativeness.⁴⁸ I focus on their findings concerning institutions and democratic stability.

3.4.1 The defence of presidentialism

Shugart & Carey (1992: 43-49) offer four ideal type advantages of presidentialism over parliamentarism.

- 1) Accountability: Because of the efficiency built into presidential systems, presidentialism offers a more direct link between the voters and the executive than in parliamentary regimes, thereby maximising the direct, vertical accountability between voters and the executive.
- 2) Identifiability: Identifiability is closely linked to the efficiency and accountability in presidential system. To be able to hold an elected politician accountable, the voters need to be able to identify the politician. Identifiability also "...requires that the voters have an opportunity to make a clear prospective choice" (Shugart & Carey 1992: 45). In a presidential race the identifiability is high, although the scope of choice might be restricted as there normally are only two serious contenders.
- 3) Mutual checks: The independent survival of the legislative and executive provides certain advantages over parliamentarism. The legislative can evaluate the pure merit of a proposal

⁴⁸ Shugart has later refined this argument. In Shugart & Wattenberg (eds. 2001), it is argued that a mixed member electoral system offers a solution to the trade off between efficiency and representation, even for parliamentary regimes. They say that a mixed-member system offers the voters a direct role in choosing an elected representative responsible for their localities (efficiency), and also provides some proportional representation (representativeness). A mixed member electoral system mixes both the plurality principle and the proportional principle for the same assembly. See Shugart & Wattenberg (2001: 9-25).

instead of taking into consideration the survival of the government.⁴⁹ Furthermore, a president with a stable majority in congress can still be checked by congress because congress is independent from the government. And, a president can “check” the legislative by vetoing legislative proposals he disagrees with.

4) An arbiter: “*The president might serve as an above-partisan arbiter of political conflict*” (Shugart & Carey 1992: 48). This could be necessary when the president lacks a majority in the legislative. The president’s distance from alliances in congress enables him to work as an arbiter. This is not possible in a parliamentary system, where the government is highly dependent on the confidence of the legislative.

3.4.2 Presidential powers

Shugart & Carey (1992) distinguish between different types of presidential regimes. One important factor to consider is the presidential powers. These are categorised in legislative and nonlegislative powers. Legislative powers are presidential powers in relation to the legislative. Shugart & Carey (1992: 131-147) identify six areas in which a president’s legislative powers vary. These are veto, veto override, decree powers, budgetary powers, exclusive introduction of legislation, and proposal of referenda. There are four types of nonlegislative powers. All concern the separate origin and survival of the executive and legislative. These are presidential powers on cabinet formation, cabinet dismissal, dissolution of assembly (-ies), and the legislature’s censure powers of the cabinet or ministers (Shugart & Carey 1992: 106-130).⁵⁰ They argue that the problems of dual democratic legitimacy are minimised when the legislative presidential powers are low. This way conflicts and potential deadlocks are regulated so that the legislative prevails. This strengthens the representativeness of the regime (see section 3.4, above) because the legislative normally encompasses more viewpoints than the executive (Shugart & Carey 1992: 165).

⁴⁹ However, the vote of no confidence is seldom used in parliamentary systems. Therefore, this is not a good argument against parliamentarism.

⁵⁰ The legislature’s amount of censure powers is of course not a presidential power per se. It is however included in Shugart & Carey’s scale, and manifest that one institution’s power must be seen in relation to other institutions’ power or lack of power.

3.4.3 The party system

Shugart & Carey are interested in factors that create efficient and inefficient regimes. These factors depend on the variables *party strength* and *presidential legislative powers*.

Party strength literally means leadership control within parties. Strong leadership control means a strong party.⁵¹ The definition of an efficient regime draws on their definition of efficiency (see section 3.4, above), and is a regime in which the parties have developed a "brand name" based on a set of national policy goals, or ideology. An inefficient regime is the opposite. Voters vote for candidates rather than parties. Candidates for legislative office articulate parochial interests and representation is local rather than national. Such a system often tends to be clientelistic.

Clientelism and patronage is widely believed to be highly inefficient in terms of rational allocation of resources, and to have a negative effect on economic development.⁵² Where parties are strong, an efficient regime develops. The leadership exercises control over candidates, and promotes national policies. To get on the nomination lists, candidates should follow their leaders and promote national policies.

The Dominican party system is considered to be strong. The three main parties, the PRSC (PR), the PRD and the PLD, have throughout their history been dominated by one strong leader exercising almost total party control (Jiménez Polanco 1999). Nevertheless, the party system does not reflect characteristics of an efficient regime as alleged by Shugart & Carey (1992). Hartlyn (1998a, 1998b) argues that the political system in the Dominican Republic is dominated by clientelism, and patron-client structures, which is how Shugart & Carey (1992) characterise an inefficient regime. Hartlyn's view is supported by other scholars (e.g. Walker 1970, Kearney 1986, and Espinal 1994b). However, characteristics of an efficient regime are also present. The parties have developed "brand names", and the political agenda is generally national.

⁵¹ To measure party strength Shugart & Carey (1992: 174-178) use five indicators/variables that give a score on party strength, these are: Whether or not the leadership controls the nominations for party lists to legislation; whether or not the leadership controls the candidate order on the lists; whether or not there are pooling votes, that is a vote for a candidate is also a vote for the party he represents; whether or not there are internal party competition (primaries); and finally, how high the entry barriers are (district magnitude) for new parties.

⁵² On this matter, see Geddes (1994).

An efficient regime is the one that combines low presidential powers with high party strength. An inefficient regime combines high presidential powers with low party strength. Considering that three of the four stable democracies in Latin America (Costa Rica, Venezuela and the Dominican Republic) are efficient regimes, Shugart & Carey conclude that regimes with the combination of low legislative presidential powers and a strong party system is preferable when it comes to providing for a stable democracy.

Table 2: Efficient and inefficient regimes

Efficiency/ Inefficiency	Party strength		
		High	Low
Presidential Legislative power:	High	Almost non-existent	Inefficient regimes: e.g. Brazil (88), Chile pre-58, Colombia, and Brazil 46.
	Low	Efficient regimes: Dominican Republic, Costa Rica, and Venezuela	Almost non-existent

Notes: The table is a simplified version of Shugart & Carey (1992: 177).

Their hypothesis is that presidential systems with low presidential legislative powers and strong parties are more democratically stable than any other combination of the variables.

3.4.4 Electoral rules and electoral cycles

Based on Duverger's rules, Shugart & Carey test the consequences of presidential plurality election vs. majority runoff, concurrent vs. nonconcurrent elections and plurality vs. PR legislative elections on the party system.⁵³ They find that presidential majority runoff elections create a more fragmented party system than plurality elections, and that presidential and legislative plurality elections create pure two-party systems. Nonconcurrent presidential and legislative elections tend to fragment the party system more than concurrent elections (Shugart & Carey 1992: 220).⁵⁴ Shugart & Carey prefer concurrent presidential plurality elections combined

⁵³ Duverger's rules are as follows: "1) (Law): One-seat districts with plurality rule tend to reduce the number of parties to two; 2) (Hypothesis) multi-seat districts with proportional representation tend to be associated with more than two parties" (cited from Shugart & Carey 1992: 207).

⁵⁴ This is a simplification of their argument. Shugart & Carey (1992: 242-243) distinguish between midterm elections, honeymoon elections (elections held within one year of the president's inauguration), counterhoneymoon elections (elections held less than one year before the presidential election), and mixed cycles. Whereas honeymoon elections tend to increase legislative support for the incumbent president, the effect of midterm elections is the opposite.

with a PR system for the assembly (-ies).⁵⁵ This combination provides a good mix of efficiency and representation, normally giving the president a majority in the legislative, and preventing deadlock. This combination is preferable to that of a majority runoff because it creates incentives to coalesce and create alliances before the election, thus minimising polarisation. Concluding, their ideal institutional combination is:

"1. A representative assembly elected by PR to ensure "fair" representation of diversity and endowed with superior legislative powers relative to the executive, in the case of presidentialism; and 2. A presidency elected in a way to encourage a broad pre-electoral coalition and thus moderation and endowed with carefully circumscribed authorities, such as a veto with more than simple-majority override..." (Shugart & Carey 1992: 286).

4.0 Democratic regime stability and consolidated democracy

For a democracy to be considered stable or consolidated, the regime must satisfy all criteria for democracy, regardless of how many criteria one includes in a definition of democracy (Schedler 1998: 103). There is a general understanding that for a democracy to be considered stable or consolidated, the regime must also have some additional features not included in the definition of democracy. In this section, I discuss which features.

4.1 Regime stability

Linz (1994), Mainwaring (1990, 1993), Cheibub (2002) and Shugart & Carey's (1992) are all concerned that deadlocks or too much power in the hands of a president, lead to unstable democratic regimes. However, none of these scholars provides a discussion of regime stability. The scholars focus on the independent variables, e.g. Mainwaring (1993) and Shugart & Carey (1992) directly operationalise the concept democratic stability without a theoretical discussion. Furthermore, there are many different operationalisations of regime stability in the literature, which makes it difficult to compare the results of the analyses. This is problematic. To avoid these problems, I discuss thoroughly the concept of regime stability. To get sound results of an

⁵⁵ Empirically they base this on their findings that Venezuela, Dominican Republic and Costa Rica have this combination. Costa Rica actually has a "majority runoff" system if no presidential candidate wins a 40% plurality in the 1st round. This has effectively turned out to work as a plurality election. The presidential election in 2002 was the first in Costa Rican history that had a runoff election. A third candidate, Otton Solís, PAC (Partido Acción Ciudadana), got sufficient votes in the 1st round to prevent one of the two traditional parties from winning 40% of the votes.

analysis of the effects of the independent variables on the dependent variable, the dependent variable must be theoretically discussed before it is operationalised.

What is democratic stability? Democratic stability is normally regarded as regime *persistence*, and considered to constitute a part of the concept consolidated democracy.⁵⁶ This leads us to believe that we can have a democratically stable regime that is not consolidated. It is not necessarily that easy, because in a second understanding of democratic stability a regime can be consolidated without being stable. Burton, Gunther & Higley (1992: 5) argued that in 1992, Spain and Britain were consolidated democracies, but that regional separatism and political violence seriously challenged their stability and survival. I consider the first understanding to be more correct, but I consider democratic stability to be something more than regime persistence.

It is important to link the concept of democratic stability to the definitional features of democracy. For a democracy to be stable, it must show stability on all features of democracy. A change in the value of one of the criteria for democracy leads to a change of regime, i.e. the regime is not stable. Regime persistence does not mean regime stability unless the regime shows persistence on all the criteria for democracy. Some scholars fail on this point, others fail to include all features of their theoretical definition of democracy when operationalising democratic stability (see chapter 6).

Regime survival is not regime stability. Regime persistence is regime survival, and is necessary for stability, but not sufficient. Why? Two examples may prove my point. Venezuela, in the literature regarded as one of the more stable democracies in Latin America, experienced in the spring of 2002 their third coup attempt in 10 years. It failed, as did the two previous ones. The government and regime survived. Survival in this case did not include stability. Chile in 1973 had at that time 3-4 decades of democracy when Pinochet and the military overthrew the government. The Chilean regime's persistence would have led us to believe that it was a stable regime. History

⁵⁶ E.g. Sánchez (1997: 2). He writes: "A democracy cannot be consolidated unless it persists over time. Thus, democratic stability must be an important feature of consolidation". Quoted with kind permission of the author. On the other hand, the new institutionalists do not always distinguish well between the concepts: E.g. Stepan & Skach (1994: 119) refer to the institutional debate as a debate regarding institutional formula and consolidation of democracy, although neither Linz (1994), Mainwaring (1990, 1993), nor Shugart & Carey (1992) mention the concept consolidation of democracy. The distinction between these concepts is not as clear as Sánchez would like us to believe.

tells us it was not. We need better conceptualisation to identify the surviving, but not stable cases. My point is that a coup in itself, successful or not, proves instability. It can be pure coincidental factors that determine whether a coup is successful or not.

Let us say that the degree of stability in a regime equals the probability that there is an equal chance that a regime would exist the day after any given time chosen in the period under scrutiny, as the day chosen. Schematically it would look like this:

$$\text{Degree of stability} = \text{Prob} (\text{Reg.ex. } t+1 = \text{Reg.ex. } t).^{57}$$

Stability means that the regime should not have any higher probability of breaking down at any time during the period under scrutiny. This is a much stronger measure than survival. This rule would have categorised Venezuela as a surviving, but not stable regime. Furthermore, elections should not be risk prone periods for the regime, and any outcome should be accepted without any threat by the military or the incumbent of not accepting the result. Another point is that a stable democracy avoids serious coup attempts at all, and does not need to successfully revoke it ex-post facto.

I link regime stability directly to the defining features of democracy, and study whether or not these democratic features have been stable for my case in the period 1966-2002. This enables us to distinguish whether the Dominican Republic is a stable democracy, a stable regime of another kind, or an unstable regime.

4.2 Virtuous/perverse institutionalisation and consolidated democracy

First some words on democratisation. Democratisation can mean two things: i) either the transition to democracy from a nondemocratic regime, or ii) the process of consolidation, and improving, the already democratic regime. It can also refer to both. In this thesis, I will use democratisation in the second meaning. The first will be called a transition.

⁵⁷ I thank Michael Alvarez for discussing the mathematical expression with me. Prob: Probability; Reg.ex. t+1: Regime existence at any given time, t, plus one day, or one time unit; Reg.ex. t: Regime existence at any given time, t.

Consolidation refers to a process, democratisation; a consolidated democracy refers to a situation.⁵⁸ I prefer using Valenzuela's (1992) concept *virtuous institutionalisation* instead of consolidation. This is because the concept of consolidation is teleological (O'Donnell 1996b: 162-163). The concept is one-ended because it cannot be negative and only leads in the direction of a consolidated democracy. Valenzuela's (1992) virtuous institutionalisation compensates for this. The reverse process is called perverse institutionalisation. Virtuous institutionalisation (consolidation) can also mean two things. i) The process of completing democracy, i.e. adding new criteria for democracy to a not fully democratic regime,⁵⁹ or ii) The process of strengthening the criteria for democracy and thereby extending the time horizon of the regime's existence (Schneider 2002: 6).⁶⁰ The last meaning of the word is definitely the most conceptually correct. Consolidation comes from Latin (lat: "consolidare") and means to solidify, implying solidification of something that is already there, not creating something new. Differing from Schedler (1998: 103), I also call the first process virtuous institutionalisation (consolidation) even though it refers to a process that requires creating something new. In other words a regime can be in a process of virtuous institutionalisation even before it meets all criteria of democracy. Perverse institutionalisation is the opposite, strengthening non-democratic features in a semi-democracy, or violating already existing democratic features in a regime.

As with democratic stability, it is important to connect virtuous institutionalisation of democracy, and consolidated democracy to the features of democracy. Linz & Stepan (1996: 4-15) and Bratton & van de Walle (1997: 233-267) provide a checklist where the "arenas", or democratic structures, to be "checked" are not the same as the criteria in their definition of democracy. This can be problematic. Valenzuela (1992: 59-62) argues that these definitions normally take a blueprint of the western model of democracy today thereby including "all good things" (economic success, social rights etc.) in the concept consolidated democracy. Furthermore, it is argued that these "good things" are part of another higher order concept such as democratic

⁵⁸ Schneider (2002: 6) has a different, but similar conceptual solution to this. He calls the process of consolidation (democratisation) and a consolidated democracy the dynamic and static notion of consolidation of democracy, respectively. I prefer calling them virtuous institutionalisation and consolidated democracy, and I differentiate between two possible meanings of the dynamic notion of consolidation.

⁵⁹ See Schedler (1998: 92, 98-99).

⁶⁰ Valenzuela's virtuous institutionalisation refers to the second meaning: strengthening features that are already present. I allow for Valenzuela's conceptualisation to cover both meanings.

quality (Schedler 1998: 103, Schneider 2002: 5), or they are independent variables correlating positively with consolidated democracies (Przeworski et. al. 2000).

I view consolidated democracy like Burton, Gunther & Higley (1992) and Valenzuela (1992).

Burton, Gunther & Higley (1992: 3) write (my italics):

"...a consolidated democracy is a regime that meets *all the procedural criteria of democracy* and also in which all politically significant groups *accept* established political institutions and *adhere* to democratic rules of the game"

Valenzuela (1992: 93) defines the concept in much the same way (my italics):

"...most significant political actors and informed publics *expect the democratic process to last indefinitely*, and when it is basically free of what have been called "perverse institutions"..."

Burton, Gunther & Higley (1992) emphasise that all features of democracy must be met, and that these must be accepted (attitudes) and that political behaviour must accord with these features.

Valenzuela (1992) adds that the concept is forward-looking. In my understanding, a democracy is consolidated *when all five criteria for democracy are present, and stable, and all important political actors accept and play by these rules and are expected to do so well into the future.*

Following a transition to democracy, the process of virtuous institutionalisation should concentrate on eliminating perverse elements with regard to the functioning of my five features of democracy, and adding the features of democracy if these are absent in the regime. A process of virtuous institutionalisation is thus a process that requires "regime instability". If not all components of democracy are present or institutionalised, they require a change in the value of the missing democratic criterion, i.e. a change of regime, to reach that "goal". A regime does not always reach this goal and the process freezes. Imagine a situation where every important political actor accepts perverse institutions, and that these coexist with a virtuous institutionalisation. Subsequently, we could get a consolidated "subcategory of democracy". I believe we can find combinations of a virtuous institutionalisation on e.g. my three first features of democracy, and a perverse institutionalisation with respect to horizontal accountability and respect for political and civil rights. We can imagine a country where a large religious, ethnic or racial majority supports violations of the civil and political rights of a small minority. Turkey with respect to the Kurds may be an example of this. We can also encounter what O'Donnell

(1992) refers to as a “slow death” of a regime, which is the removal of features of democracy.⁶¹ This is slightly different from what Valenzuela (1992) calls a perverse institutionalisation, which means cementing and consolidating a not fully democratic political system.

Valenzuela (1992: 62) depicts the virtuous institutionalisation as a process created by the daily workings of political institutions “...*insofar as they permit the reproduction of the minimal procedures of democracy*”. This reproduction works through all kinds of issues. It is important how conflicts are handled for the first time. This sets precedence for resolving future political conflicts. A virtuous circle is started when the way the conflicts are solved strengthens the procedural features of the democracy. Deliberate changes are needed, but long term goals e.g. a consolidated democracy, can also be reached by politicians led by short-run gains. The process of virtuous institutionalisation, or its derailment, could be just as well a fruit of minor decisions with no clear long-term goals, as a deliberate plan for consolidation.⁶²

Valenzuela’s (1992) description of a virtuous institutionalisation fits the new institutional framework. For a regime to enter into a process of virtuous institutionalisation it requires the ability to make political decisions to change the status quo. The same variables that affect breakdowns of democracy can affect a virtuous or perverse institutionalisation. A political regime that repeatedly enters into deadlock situations is not inclined to enter a process of political interactions that reproduce the minimal procedures of democracy. Such a system will rather create incentives for political actors to act outside the democratic framework and seek other ways of reaching their goals. We all agree that political institutions should be constructed to avoid deadlocks. The disagreement is on what kind of institutions create these perilous deadlock situations.

⁶¹ O’Donnell (1992) also speaks of “quick deaths”, which are military coups and direct breakdowns of democracy. We could maybe also talk of a quick democratisation, i.e. transition to democracy as seen in many Eastern European countries around 1990, and a slow transition which could be gradually including more and more features of democracy, e.g. Brazil 1974-1989.

⁶² Riggs (1988) writing on the paradox of the survival of American presidentialism focuses on exactly these points. He argues that the way conflicts (e.g. president-legislative) were solved early in the regime’s existence created a precedent for solving later conflicts. The president, other politicians, or the Supreme Court judges solved many of the inherent problems in presidentialism by “accident” or “lucky” precedent setting. These have created what Riggs (1988) call paraconstitutional practices that have helped the US democracy solve and deal with inherent problems in a presidential regime, and thereby consolidate its democracy.

1.0 Introduction

In this chapter, I discuss the methodological aspects of my thesis and suggest and present new ways of operationalising deadlocks and horizontal accountability. The previous chapter discussed several core concepts and the new institutional theories. How to measure and evaluate these concepts and test the new institutional hypotheses are my concerns in this chapter. I use this chapter to discuss and operationalise the concepts of *democracy*, *democratic stability* and *consolidated democracy*. The previous chapter also discussed the political institutions' effect on political regimes, and new institutional theories in general. In this chapter I discuss how to measure the political institutions' effect on a political regime. I provide a suggestion on how to operationalise deadlocks and how to use this measure of deadlock to compare the predictive values of the new institutional theories presented in the previous chapter.

This chapter proceeds as follows: Section 1.1 discusses the case study and its place within comparative politics. In section 1.2, I present my data collection during my research trip in the Dominican Republic. Section 2 discusses the conceptualisation and operationalisation of the core concepts discussed in the previous chapter. These concepts are used in a classificatory analysis in chapter 4. Section 3 discusses and operationalises the institutional variables to be used in my analysis in chapter 5. Section 4 discusses and operationalises the concepts of regime stability and consolidated democracy, which will be studied in chapter 6. And, in section 5 I present the operationalised hypotheses to be tested in chapter 5.

1.1 The case study

This is a case study of the Dominican Republic. My case study is comparative because it uses methods and concepts applicable to other countries, develops new concepts or creates theories and hypotheses applicable to other cases (Landman 2000: 22).

A case study is clearly different from a study comparing many countries. Generally, a case study opens for more complexity in the approach than a large N study. This enables me to apply an extended minimal definition of democracy (see chapter 2). Generalisations however, are hard to make based on a single case. The advantage of a case study is that we may highlight problems

encountered in some large-N approaches. I use this advantage to discuss and highlight theoretical and methodological problems with institutional theories and regime classifications. We may not infirm theories based only on a single case, but a case study can help generate better conceptualisations and operationalisations of variables for further use in large N studies. The Dominican Republic has proven to be a difficult case to classify with respect to democracy. By identifying the reasons why the Dominican Republic have been "mislabelled" in various large-N studies, I hope not only to increase our knowledge about the case at hand, but also point to the reasons for the mislabelling.⁶³ I use my case study to investigate methodological problems of large N classifications of political regimes and to present a new approach to operationalising and measuring horizontal accountability. This new indicator of horizontal accountability is a numeric indicator applicable to other cases than mine. The goal of my comparison of new institutional theories in chapter 5 is to use the case study to present new ways of testing the new institutional theories with regard to deadlock and democratic regime stability. I present new variables applicable to large N studies. Thus, I avoid particularisation, which is a general weakness in single N studies (Ragin 1987: 69), by using and creating concepts and systemic institutional variables that are applicable to other cases, small-N and Large-N studies.

My case study is therefore not theory generating as some case studies tend to be (Ragin 1987: 44), however, it is variable oriented and theory testing. My focus is more directed towards generating new concepts and new operationalisations of known concepts in comparative politics. And, I use the new concepts and operationalisations to compare and test new institutional theories. Furthermore, I combine interpretive analysis (chapters 4 and 6) and causal analysis (chapter 5).

1.2 My data collection

I have been twice in the Dominican Republic gathering information, five and a half months all in all. The data collection has been very diverse, and has covered many areas. Democracy and its bordering concepts are best evaluated qualitatively. Some, as Freedom House and the Fitzgibbon survey create numerical scales of the quality of democracy in order to better compare democracy

⁶³ I discuss this in chapters 4 and 6.

cross-nationally. Even though they give the impression of being quantitative measures of democracy, as indeed they are, they are also ultimately based on qualitative evaluations made by country experts. I have therefore interviewed 21 politicians, bureaucrats, university professors, journalists and representatives from civil society, and also read newspapers, magazines, and an extensive amount of secondary literature in order to evaluate the concepts.⁶⁴

The interviews have ranged somewhere between the interview guide approach and the open-ended interview.⁶⁵ They have followed a loose interview guide where I have taken liberties to deviate from the guide if something interesting has come up during the interview. The interviewees have been asked, to a large degree, the same questions for reasons of comparability, but I have also personalised somewhat each interview depending on what former experience the interviewees possessed. Interviews of professors at the universities have taken a more conversational form. Using different types of interviews gives me a good combination of breadth and depth (Marshall & Rossman 1999: 110). The problem has been to track down the interviewees I wanted. Interviewing “high positioned” politicians signifies interviewing busy people. I was both lucky and unlucky in the process, but I regard my list of subjects as a list that covers most power groups, political parties, state institutions and influential social groups.⁶⁶ The interview as a data collection method is ideal for acquiring a large amount of data quickly (Marshall & Rossman 1999: 109). The interviewees were therefore also used as “tip sources”. For instance, if an interviewee told me about an interesting political event that had not been mentioned in the media or other literature, this made me do further investigations. I also attended a few political meetings, discussion forums and conferences on general political topics in the Dominican Republic. I have studied the archives of the main newspapers in the country, focusing on the most recent years (94-present), in order to control for the accuracy of the information gathered in the interviews. I did not thoroughly study earlier years since this is better covered by the secondary literature.

In order to evaluate the most recent elections (1994-today), I have gathered official reports from the OAS. The journal “Electoral studies” has also proven helpful. For elections prior to 1994, I

⁶⁴ A printed and translated (into English) record of each interview is available by contacting the author.

⁶⁵ See Marshall & Rossman (1999: 108-112) for classification of interviews.

⁶⁶ For details on party affiliation and positions of the interviewees, see the bibliography.

have not been able to get hold of the OAS reports,⁶⁷ and therefore my judgements on the elections are based mostly on secondary literature. In order to make impartial classifications, I have investigated a broad line of both national and international literature.

My statistical data are economic data taken from the ONAPRES's (Oficina Nacional del Presupuesto) yearly publications of the national budgets, and statistics regarding laws, decrees and resolutions from the Gaceta Oficial, the official publication of such data. I punched all figures from the budgets into the computer myself, but I have not been able to check my data with other sources to control for the accuracy in the counting process. This is due to the fact that I seem to be the first to gather these data over so many years. Hopefully the counting has been done correctly, but if errors occur they should be random and minor, and therefore have no impact on the overall results of the analysis.

2.0 Conceptualisation and operationalisation of the Core Concepts

In this section I discuss how to measure the democratic criteria of a regime. I also discuss how democracy should be understood in connection to its institutional arrangement (presidentialism/parliamentarism). First I discuss and explain the radial and classical concept. I also discuss how to understand democracy and its institutional arrangement within radial and classical concepts. Then, I focus on the operationalisation of democracy.

2.1 Radial and classical conceptualisation

If the social sciences and comparative politics strive to advance as sciences, uniform, accepted and clear definitions are goals to pursue. In chapter 2, I argued for including five criteria in the definition of democracy. Here, I argue for the use of a radial conceptualisation of democracy. I also argue that the institutional character of a regime, whether it is presidential or parliamentary, are additional criteria to the regime's degree of democracy.

⁶⁷ I went to the OAS office in the Dominican Republic for documentation, but because of the hurricane George in 1998, the OAS library/bookstore was in a bad shape. Many documents and books had been destroyed in the hurricane. Sadly this hurricane also hurt other libraries and sources of information in the country.

The classical conceptualisation is presented in Sartori's seminal article (Sartori 1970). This is a categorisation where the members of a category share *all* attributes of a concept. The differentiae between members of a category, e.g. democracy, are based on *additional* criteria to the ones that define membership in that category, e.g. popular election of chief executive to define presidential regimes. A good example here is presidential and parliamentary democracies. Presidential and parliamentary democracies share the same features of democracy, but are distinguished by how they elect their chief executives and the relationship between the executive and legislative.

Table 3: Institutional types of democracy based on a classical conceptualisation

	Category:	Components						
		A	B	C	D	E	F	G
Primary category:	Democracy	X	X	X	X	X		
Secondary categories:	Presidential democracy	X	X	X	X	X	X	
	Parliamentary democracy	X	X	X	X	X		X

Notes: A: Effective political contestation; B: Effective political participation; C: Effective governing political powers in the hand of elected officials; D: Effective horizontal accountability; E: Effective protection of civil liberties and political rights; F: Direct election of chief executive; G: Executive survival dependent on legislative support.

There is little disagreement on how to distinguish presidential and parliamentary democracies. Almost all agree that the attributes distinguishing between these two types of regimes are in addition to the attributes that define democracy. This is presented in table 3 above.

However, there is no general agreement on how to distinguish between other types of regimes. Even if we do agree on the definition of democracy, categorisations based on additional criteria to democracy are not uniform. Some might want additional functional criteria, economical, procedural, structural etc. There is no guidelines on which components to base the labelling on.

Table 4: Types of democracy based on a classical conceptualisation

	Category:	Components:							
		A	B	C	D	E	F	G	H
Primary Category:	Democracy:	X	X	X					
Secondary Category:	Neopatrimonial democracy	X	X	X	X	X	X		
	Social democracy	X	X	X				X	
	Delegative Democracy	X	X	X					X

Notes: The definition of democracy is not the essence here. Therefore I include only the three most common criteria: A: Effective political contestation; B: Effective political participation; C: Effective governing political powers in the hand of elected officials. Additional criteria for secondary categories: D) clientelism, E) presidentialism, F) corruptive use of state resources (Bratton & van de Walle 1997, Hartlyn 1998a), G) Social and economic outcomes of high equity, H) Lack of horizontal accountability (O'Donnell 1994). Notice here that horizontal accountability is not included in the definition of democracy, as O'Donnell (1994) originally suggested.

These are but some examples in the literature, and here we have 5 different additional criteria to use (criteria D-H).⁶⁸ Therefore, I prefer using a radial conceptualisation of the concept of democracy. Even though there is no total agreement of components to include in the definition of democracy, there are guidelines and also some common ground between the scholars.

Collier & Mahon (1993) were the first to argue for the use radial concept within political science.⁶⁹ Within a radial conceptualisation, the differentiae between secondary categories are based on attributes *included* in the primary category, and not in addition to the primary category as in classical concepts. In other words we have one set of criteria, included in the primary category (the prototype) or root concept, to differentiate between regimes.

The differences become clear when we compare how we can travel with the concepts. When we travel we must avoid conceptual stretching, or straining, which is: “*vague, amorphous conceptualisation[s]*” (Sartori 1970: 1034). This happens when we e.g. travel with our western political categories and apply these to third world countries without being conscious of possible distortions in the connotations of the concepts. Sartori’s (1970: 1040-1046) solution to this problem is to use the ladder of abstraction. When increasing the extension of the concept, i.e. travelling and applying the concept in new contexts, we should decrease the intension (or connotation) of the concept, i.e. include fewer, but precise, criteria in the primary concept. This is called climbing the ladder of abstraction. If we do not climb this ladder when travelling, we

⁶⁸ Collier & Levitsky (1997: 430-431) report of hundreds of subtypes of democracy, or democracies with adjectives.

⁶⁹ For the use of democracy and corporatism as radial concepts, see Collier & Levitsky (1997) and Collier (1995).

stretch the concept and the result is that: “*the denotation is extended by obfuscating the connotation*” (Sartori 1970: 1041).

To travel with radial concepts does not oblige us to lower the intension of the concept. The logic is reversed. The primary category when travelling remains high on intension, but when we travel we might find cases that are not a perfect match for the primary category, e.g. they lack some attributes. Thus, the secondary categories are higher on extension, but lower in intension. This helps us to keep the “purity” of the concept even when travelling, and to avoid “definitional gerrymandering” with the primary category (Collier & Levitsky 1997: 445).

Table 5: Democracy as a radial concept

	Category:	Components:				
		A	B	C	D	E
Primary Category	Democracy	X	X	X	X	X
Secondary Categories	Restrictive democracy	O	X	X	X	X
	Limited democracy	X	O	X	X	X
	Tutelary democracy	X	X	O	X	X
	Delegative Democracy	X	X	X	O	X
	Illiberal Democracy	X	X	X	X	O

Notes: A: Effective political contestation; B: Effective political participation; C: Effective governing political powers in the hand of elected officials; D: Effective horizontal accountability; E: Effective protection of civil liberties and political rights. O: represents missing component. X: represents existing component. The labels “Restrictive Democracy”, “Limited democracy” and “Illiberal democracy” are from Collier and Levitsky (1997). The label “Tutelary Democracy” is from Valenzuela (1992) and the label “Delegative Democracy” is from O’Donnell (1994). Notice that I include horizontal accountability in my definition of democracy, whereas O’Donnell (1994) does not. Still, I use the same “delegative democracy” to label a regime that lacks horizontal accountability as O’Donnell (1994) does. Compare this with table 4. O’Donnell (1994) sees horizontal accountability as an additional criterion not included in his definition of democracy.

Table 5 presents democracy as a radial concept. Within the classical conceptualisation, criteria in addition to the primary category are chosen to differentiate between regimes. Within the radial conceptualisation (table 5), the criteria that differentiate between regimes are included in the primary category. To demonstrate the differences between the classical and radial “travelling” strategies, let me provide an example with the concept of democracy.

It is widely recognised that for instance democracy in Latin America is something qualitatively different from democracy in Western Europe and the USA. One difference is of course the economic level and societal development. However, these factors are only included in substantive definitions of democracy, and are not attributes of a procedural understanding of democracy

(chapter 2). A procedural subminimal definition as the one used by Przeworski et. al. (2000) or the minimal definition used by Dahl (1971) does not easily capture differences between democracies as e.g. Argentina under Menem and Germany in the same period. In that period (1989-1999), Argentina and Germany satisfied the contestation and participation criteria of democracy. A radial conceptualisation and a procedural expanded minimal definition of democracy enable us to find differentiating features between the regimes mentioned above, and to apply differentiating labels to different types of semi democratic regimes. I have concentrated on horizontal accountability as I see this as one of the principal distinguishing features between democracies in Western Europe and at least some, countries in Latin America.⁷⁰ And in this example, my conceptualisation might label Germany as a full democracy, satisfying all my 5 criteria of democracy, while Argentina under Menem (1989-1999) might be classified as a delegative democracy as O'Donnell (1994) suggests, satisfying 4 out of 5 criteria. Thus, my conceptualisation captures the difference between two types of democracies without lowering the intension of the root concept. Travelling with radial concepts does not mean that we have to lower the intension of the concept because subcategories of the concept (or diminished subtypes) do not have to meet all criteria of the root concept. Regimes that meet some criteria of democracy, but not all, are diminished subtypes of democracy.

A classical conceptualisation with my 5 criteria for democracy would in the same case have classified Germany as a full democracy, but Argentina would have been classified as a non-democracy. This would obviously not be a correct classification of Argentina 1989-1999. The alternative strategy within the classical conceptualisation would be to lower the intension of the concept, and in the same process lose conceptual validity. In the example with Argentina under Menem and Germany, the solution would be to exclude horizontal accountability from the definition of democracy. This would have lowered the intension of the concept, but increased the extension by including Argentina (1989-1999) as a democracy. Przeworski et. al. (2000) and Dahl (1971) using the classical conceptualisation of democracy, have lowered the intension of the concept so that travelling is possible without stretching the concept. One pragmatic reason for lowering the intension of the concept is that it is impossible in a Large N study to gather sufficient information on many criteria for democracy. This is the trade-off between the intension

⁷⁰ See O'Donnell (1994).

of the concept and the number of cases studied. The tactic used, however, may “*obfuscate[s] the connotation*” of the concept, to use Sartori’s (1970) words. It is not democracy they are measuring, because the low level of intension has left the concept almost without meaning. Thus, the concept should have been labelled differently. Within the classical conceptualisation the intension of the concept must be lowered when travelling because members of a category must share all attributes of the concept. This conceptual compromise is not necessary when travelling with radial concepts. Another strategy for Przeworski et. al.(2000) could be to argue that it is not necessarily democracy they measure, but e.g. “Electoral democracies” where contestation is the only criterion. With this strategy they would at least not run the risk of obfuscating the connotation of the concept democracy.

2.1.1 Classifications of democracy and attributes of democracy

Regimes are classified in many ways. One is to regard regimes as dichotomies, i.e. democracies or authoritarian regimes. This understanding regards democracy as a bounded whole (Sartori 1987), or defines democracy with only one attribute, e.g. Przeworski et. al. (2000) and Lawson (1993).⁷¹ Mainwaring et. al. (2001) understand regimes as trichotomies, i.e. democracies, semidemocracies or authoritarian regimes. This is possible because they use 4 criteria to define democracy. They use an aggregate coding and work with major or partial violations of their four definitional criteria. If there are any major violations of any of the 4 definitional criteria of democracy, the regime is coded authoritarian. If there are any partial violations of any of the 4 definitional criteria of democracy, the regime is coded semi-democratic. If there are no violations of any of the 4 definitional criteria of democracy, the regime is coded democratic (Mainwaring et. al. 2001: 45-48).

I understand democracy as an even more finely graded concept. My extended minimal definition opens for this. Collier and Adcock (1999) and Collier and Levitsky (1997) argue for a pragmatic approach to these questions. My approach is pragmatic. Even though I use the concept of democracy as a finely graded concept with diminished subtypes, it is possible to use my regime classification as both a dichotomy and a trichotomy. I code openly and separately each criterion

⁷¹ It is impossible to see democracy as anything else than a dichotomy if only one attribute is included in the definition of democracy, and one identifies this attribute by being either present or absent.

of democracy each year measured and I distinguish between major and partial violations of the 5 criteria. This approach makes it possible to transform my additive and finely graded scale of democracy into dichotomies or trichotomies based on whichever criteria of democracy one decides to include in a definition of democracy (see below and chapter 4).

My diminished subtypes clearly identify where the “democratic problem” is. If I name a regime “illiberal democracy”, we know from the name that it does not respect human rights and civil liberties. Mainwaring et. al. (2001) would consider this regime to be either semi-democratic or authoritarian depending on the graveness of the violations. My scheme differentiates between different “semidemocratic” regimes and has a more diverse set of regime types than Mainwaring et. al. (2001). These are the diminished subtypes of democracy identified and labelled in table 5 above. The adjective used in connection to democracy indicates the missing democratic criterion. The strength of my approach is that even though we disagree on how many criteria to include, we easily, by looking at the adjective (-s) connected to the term democracy, know which criterion (-a) is missing.

A problem with radial concepts is that some diminished subtypes of democracy (i.e. types of semi-democracies) can be more authoritarian than democratic (Collier & Levitsky 1997: 441). We run the risk of coding a regime as a diminished subtype of democracy, when it should be coded as authoritarian or a diminished subtype of authoritarianism. To mend this problem, in my labelling of regimes I do not distinguish between major and partial violations of democratic features. *All* violations of a democratic criterion, *major* or *partial*, lead me to attach an adjective to the term democracy depending on which criterion that is violated (e.g. any violations of participation leads to the label “limited democracy”). However, a radial conceptualisation leads us to call a regime with major violations of civil liberties and human rights, but free and fair elections, a diminished subtype of democracy. This can be problematic. Therefore such a regime is called an “Illiberal democracy”. “Illiberal” is an adjective that contradicts the concept of the primary category (democracy). This creates a dismissive subtype, rather than a diminished subtype (Collier & Levitsky 1997: 442).

I distinguish between partial and major violations of the criteria to construct an additive numerical scale of the quality of democracy (see the classification chapter 4). This scale helps us to see if a country has improved democratically over time and also compare the quality of democracy between specific years in the period under scrutiny. In my scale, if there are no violations I give the criterion a 1 point score, partial violations a 0.5 point score and major violations a 0 point score. However, with respect to my labelling of regimes I do not distinguish between major or partial violations. Any violation of a feature of democracy leads to a missing criterion. The adjective connected to the word democracy indicates which. My approach is pragmatic and can be used to understand democracy as a bounded whole. A bounded whole means that for each attribute of democracy to be understood as meaningful in a democratic perspective, all the other attributes must also be present (Collier & Adcock 1999: 557). By dichotomising each attribute seeing them as either present or absent,⁷² and multiplying the score of each attribute, we get a dichotomy of 1 or 0 on the total democratic score. This can be done without losing the information of the values on each attribute of democracy. Furthermore, since horizontal accountability was not generally accepted as an attribute of democracy, I also show in chapter 4 how my approach can capture a partial interaction between 4 out of 5 attributes of democracy, excluding horizontal accountability. In practice, this means removing the criterion horizontal accountability from the features of democracy, and regarding this attribute as additional to the attributes of democracy, i.e. a classical conceptualisation.

The reason for choosing this pragmatic approach is to demonstrate that the conceptualisation of important concepts as democracy, affects how we finally evaluate the character of a political regime. We will see in chapter 4 that the conceptual choices one can take, democracy as a graded concept or a dichotomy, also affect my classification of the Dominican regime. In chapters 4 and 6, I criticise other scholars studying democracy and democratic stability in the Dominican Republic and show how their definitions and operationalisations have affected their classifications of this regime. Since these classifications are values on the dependent variables in causal analyses explaining democracy, the misclassifications have affected the overall results and relationships between the independent and dependent variables of these studies.

⁷² Giving each criterion a 1 or 0 point score. Here, as with the labelling of regimes, any violation is given a 0 score, i.e. absent attribute.

2.2 Operationalising democratic features

My operationalisation of the democratic features follows Mainwaring et. al. (2001: 45-48) to a large extent. Their operationalisation is to my knowledge one of the best and most explicit work on operationalising democracy and regime types.

1) *Contestation*. It is a *major violation* if the head of government is not elected, the government uses its resources to ensure electoral victory (via patronage or repression), there is systematic fraud or repression, there is no uncertainty regarding electoral outcome, if manipulation or repression makes it impossible for parties to compete, or if they compete, to take office. It is a *partial violation* if there are some harassment and political violence during the campaigns, and limited fraud in the counting process, but still some uncertainty of outcome, and if there is veto (from the government or the military) around a few unacceptable candidates.

However, fraud is hard to establish and prove. Often, the losing contenders will blame fraud to be the reason for their loss. Therefore, the evidences must be convincing and also come from various and preferably international sources, to classify an election fraudulent. Furthermore, an election can never be totally fair with respect to contestation. For instance, there is a great advantage for the incumbent, and there are always differences between the candidates regarding economic resources, state funding, access to the media etc.

2) *Participation*. It is a *major violation* if a large part of the adult population is disenfranchised because of ethnic, gender, class, social, literacy, or educational reasons. It is also a *major violation* if irregularities in the counting process that are considered to affect the electoral outcome, are directed towards one social or political group. This makes a mockery of the popular participation, and affects equally the contestation and participation criteria. Excluding for instance children, insane, the police or the military is not regarded as a break of the participation principle. It is a *partial violation* if there is a disenfranchisement of some groups, but in a way that is not likely to shape the electoral outcome.

3) *Effective power in the hands of elected rulers*. It is a *major violation* if there are any non-elected power groups in power either constitutionally, or de facto, exercising violence, hindering politicians in their work, threatening politicians etc., if the head of government is a “puppet”, or the electoral process does not determine who really governs. It is a *partial violation* if there is a power struggle going on between a civilian government and the military, or if the military can stop implementation of policies not related to the armed forces. A power struggle is a violation of this criterion because the elected rulers are not in total control, even though the military, or other groups, is in total control either.

4) *Horizontal accountability*. To operationalise horizontal accountability is not an easy task. Therefore this criterion demands a more thorough discussion than the other criteria. I provide a new way to measure horizontal accountability that is comparative and applicable in small-N and large-N studies. I suggest using a comparison between congressionally approved budget and government executed budget as a measure for horizontal accountability.

Ideally the horizontal accountability is provided by a set of institutions in a democratic regime. These are the legislative, the Supreme Court, and a comptroller/auditory agency that controls whether the budget has been executed as approved in congress. The classification of the principle of horizontal accountability is based on the *institutional framework and practice*. Does the institutional framework provide opportunities for checking (answerability) the government? Do these controlling institutions have any sanctioning power? An investigation of the horizontal accountability requires an institutional analysis of independence and autonomy for the “accounting” institutions, and an analysis of the powers invested in these institutions. This covers the *answerability* and the *power of sanction* in the concept of horizontal accountability.

Regarding *practice*, the question is: Does the government respect the other authorities and their constitutionally allocated powers? To measure the horizontal accountability in practice, I suggest applying a comparison of the assembly approved expenses in the national budget and the executed national budget. This is applicable to large-N approaches because the costs of gathering these data are low, and the variable is metric. The measure goes to the core of the concept of accountability; whether or not the government abide by the laws. More specifically, to what

extent the government abide by the most important law of the year, the budget, which extracts, (re-) distributes and allocates the resources of a polity. A strong deviation one year might be explained by a natural disaster, economic crisis or other non-foreseeable events. Strong deviations over years show that not only does the executive not respect the legislation, but also that the legislative, or any other institution, does not have the power to hold the executive answerable or enforce sanctions on the government, i.e. no horizontal accountability.

Normally the cry for horizontal accountability has been raised against presidencies that have ruled by decrees, e.g. Peru's Fujimori, Russia's Yeltsin and Argentina's Menem.⁷³ This has led to works on the executive's decree authority (e.g. Carey & Shugart (eds.) 1998). The decree authority can be seen as a democratic problem since it can be used to bypass the legislative in the political process (O'Donnell 1994, Ferreira Rubio & Goretti 1998 and Parrish 1998), or it can be regarded as a possible positive political power that avoids deadlock between the elected institutions (Carey & Shugart 1998, Shugart & Carey 1992 and Cheibub 2002). Carey & Shugart (1998: 12) warn about the semantic problem of translating the Spanish "decreto" into English "decree" because it might as well be translated into "executive order". Many of the decrees are of insignificant importance and do not affect the horizontal accountability. This invalidates and hinders a mere counting of decrees as a measure of horizontal accountability.⁷⁴ In the Dominican Republic, a large majority of the decrees regard minor administrative matters. Moreover, the use of decrees is more a measure of presidential dominance than a measure of horizontal accountability.

It is a *major violation* of the horizontal accountability if the share of total discrepancy between the congressionally approved budget expenses and the executed budget expenses is above 40%. It is a *partial violation* if the share of the total discrepancy between the congressionally approved budget expenses and the executed budget expenses is above 10%.

⁷³ See Collier & Levitsky (1997: 444-445), Carey & Shugart (1998), Ferreira Rubio & Goretti (1998) and Parrish (1998).

⁷⁴ There are also other problems. Carey & Shugart (1998: 9-15) differentiate between different types of decrees, which would cost more time to register.

5) Effective protection of civil liberties and political rights. It is a *major violation* if there are gross human rights violations, if censorship against opposition media occurs systematically, or if political parties are not free to organise (major parties are banned, only one party exists, or only a few controlled by government exist). It is a *partial violation* if there are less widespread human rights violations, but this affects opposition's capacity to organise, or if there is some sporadic censorship in the media. Non-political and non-systematic police violence is not considered to be a breach of this criterion.

3.0 Operationalisation of institutional variables and deadlock

In this section, I extract the independent and dependent variables from the new institutional theories discussed in chapter 2. These operationalisations of independent and dependent variables are used in my analysis and comparison of the new institutional theories in chapter 5.

3.1 The independent variables

The new institutional independent variables are normally straightforward to operationalise. Some problems might occur when we try to create ordinal variables of e.g. presidential powers. The problems of testing the institutional theories do not lie in their method, but rather in their covariation with other variables that affect democracy.⁷⁵

3.1.1 Government party support in congress

Government party support in congress is expected to have an effect on deadlock situations and, ultimately, breakdowns of democracy (e.g. Linz 1994). Here, it can take three values.⁷⁶ One is a majority in both chambers, the second is majority in one chamber, and the third is no majority at all. The advantage for the government of having a majority is to be able to pass the laws without significant problems in the legislative. I do not distinguish between which chambers the government has the majority. In the Dominican Republic, a law must pass identically in both

⁷⁵ This is discussed briefly in the Introduction in chapter 2.

⁷⁶ "Government party support in Congress" can also be measured by its share of representation in Congress. As chapter 5 will show, the government party's relative size in congress can have an impact on production in Congress.

chambers, and the chambers have the same faculties with a few, important exceptions.⁷⁷ However, majority in one chamber does not necessarily help the government party/coalition more than not having a majority in any of the chambers, since both chambers can veto legislation. Nevertheless, I distinguish between administrations that have a one chamber majority and minority in both chambers in order to test if this can have an effect on the dependent variables. In the Dominican Republic a law text can be changed maximum twice in its course between the chambers. If modified or rejected for the second time in the second chamber that treat the proposal, the proposal immediately falls. There is also a time limit. A law must be passed by the 2nd chamber that treats the law no later than the following legislature after its initial passing in the 1st chamber that treated the law.⁷⁸ Electoral data from the JCE makes it easy to distinguish between all three possible situations.

3.1.2 Number of parties

Mainwaring (1993) argued that multiparty presidential regimes were conducive to democratic breakdowns. And, one of Cheibub's (2002) findings was that moderate pluralism due to its inherent problems of reaching stable compromises, could endanger democracy. The most common indicator of the number of parties for comparative use is the Laakso/Taagepera index of effective number of parties (e.g. Shugart & Carey 1992, Mainwaring 1993 & Shugart & Mainwaring 1997). This index is a comparative indicator of the number of parties weighted by their size in congress or proportion of votes. If three parties have the same proportion in congress (33.3%*3), the effective number of parties is 3. The larger one party becomes at the expense of the others, the lower the effective number of parties becomes.⁷⁹ What will be called the Cheibub 2 hypothesis (see section 5), however, is not best measured by the effective number of parties. Cheibub (2002) expects deadlocks when the effective number of parties is between 3 and 4. Chapter 5 shows that in the Dominican Republic, the effective number of parties in the Lower Chamber only once has been above 3 (1990-1994). The Cheibub 2 potential deadlock situation is therefore best measured as a situation where any two of the three parties constitute a majority in

⁷⁷ For the exceptions, see chapter 4.

⁷⁸ This has created problems and aggravated deadlocks in the Dominican Republic. When the President calls for an extraordinary legislature to deal with pressing issues, and no other issues are treated, many of the laws passed in one chamber in the preceding legislature will fall because of the time limit. These proposals will have to be reinitiated and passed in both chambers to become a law.

⁷⁹ The formula for calculating the effective number of parties will be presented in chapter 5.

one chamber of Congress.⁸⁰ The two other possible situations are when there are only two parties in Congress, or a one party majority in Congress.

3.1.3 The veto situation

Cheibub's (2002) other argument is that the key factors to predict actual deadlocks and democratic breakdowns are the size of government party in Congress and the rules for veto and veto override. I compare the rules for veto and veto override in the Dominican Republic with the parties' representation in Congress. The comparison identifies possible deadlock situations assuming 100% party loyalty. This assumption is not unproblematic for my case. There are examples of party defections and evictions that have led to changes from majority governments to minority governments. In the Dominican Republic, party evictions have been quite a regular occurrence in the 1990's, but not all of them have led to serious changes in the executive-legislative relations. Normally the parties each assume a joint position before voting, and stick to the party line.⁸¹ I therefore assume 100% party loyalty when making calculations of the relationship between the independent and dependent variable.⁸²

3.1.4 Presidential powers and party strength

To measure the presidential powers, I use Shugart & Carey's (1992) scale (see chapters 2 and 4). To create an ordinal, numerical scale of presidential powers entail obvious problems,⁸³ however for comparative purposes, it is still useful. One of the problems with Shugart & Carey's (1992) scale is that it is difficult to compare the relative strength of "power" in different areas. Can for instance presidential decree powers be compared numerically with a presidential power of calling for a referendum? I criticise some of Shugart & Carey's (1992) work. Therefore, to offer a just criticism, I prefer using their scale and method, even though in a case study a more in-depth

⁸⁰ In the Dominican Republic, this means in practice when any 2 of 3 parties constitute a majority in the Lower Chamber.

⁸¹ This is based on conversations with Lelis Santana who heads the shorthand writer department in the Lower Chamber, and also the last two years has monitored voting behaviour of each deputy and party.

⁸² My qualitative analysis in chapter 5 discusses how these changes have affected the executive-legislative relationship.

⁸³ See Metcalf (2000).

approach is possible.⁸⁴ The presidential powers in the Dominican Republic are constant for the whole period (see chapter 4). Shugart & Carey's (1992) party strength scale, which together with presidential powers constitute the hypothesis on regime stability (see section 5), is created for inter-system variation. I have made some adjustments to this scale in order for the scale to vary between parties within each system (see chapter 5 and Appendix III).

3.1.5 The Electoral system

Electoral systems are normally quite stable. The parties often choose to keep the status quo. In my case, a constitutional reform in 1994 changed the electoral system.⁸⁵ Anyway, the variable is not considered to have a direct effect on the fate of democracy, rather an indirect effect via the party system and government size. Because of the short time this electoral system has existed, I do not list this as a proper hypothesis in section 5. But, we can identify whether there has been an increase in actual deadlock situations after the 1994 reforms, which will be done in chapter 5.

3.2 The dependent variables

The new institutionalists focus on the risk for *deadlock* between the executive and the legislative. They argue that deadlock is conducive to democratic breakdown. The sceptics of presidentialism also fear *presidential dominance* and the abdication of the legislative as a consequence of deadlock crises. The executive-legislative relations, the level of *presidential dominance* and *regime change (regime survival or not)* give the three dependent variables. However, I present two different operationalisations of both the executive-legislative relations and the level of presidential dominance. In sum, there will be 5 different dependent variables to deal with in chapter 5. The new aspect in this thesis is that I distinguish between *potential deadlock* situations and *actual deadlock* situations. Potential deadlock situations are the situations when the various scholars expect an actual deadlock. Actual deadlocks are defined below.

⁸⁴ It is always possible in a case study to criticise multiple case studies for simplicity. By using the same method as Shugart & Carey (1992) I believe I can offer a fairer criticism of their work. This also makes my approach more comparative. One goal with this case study is to improve *existing* institutional variables.

⁸⁵ Before 1994 the presidential election was a plurality election concurrent with both local/regional and congressional elections. The 1994 reform created nonconcurrent legislative and executive elections. Presidential elections are now a majority election in two rounds with 50% + 1 vote as the threshold to win in the first round. For details see chapter 4.

3.2.1 Executive-legislative relations. Or: How to measure “Actual Deadlocks”

Deadlock or immobilism between the executive and legislative in presidential regimes is believed to cause democratic breakdowns. Deadlocks are dependent on the strength of the government party in Congress (Linz and Mainwaring), the number of parties in Congress (Mainwaring and Cheibub), the veto situation (Cheibub) or the presidential powers and party strength (Shugart & Carey). A potential deadlock situation is the institutional combination that is believed to create deadlocks in presidential systems. This institutional combination varies from scholar to scholar. E.g. for Linz (1994) it is minority governments. The normal approach has been to test whether a potential deadlock situation has led to regime breakdown (or presidential dominance). Chapter 4 shows one weakness with the studies cited above, namely the operationalisation of democracy. Another weakness with the cited works is that they do not test whether potential deadlocks lead to actual deadlocks. I present a way to test whether potential deadlocks lead to actual deadlocks, and whether actual deadlocks lead to regime change or presidential dominance. To do this, I present a method of measuring the executive-legislative relations, and my measurement can also be useful in large-N studies.

Since my measure of “Actual deadlocks” is new, I present two ways to measure the executive-legislative relations. First, I measure the executive-legislative relations as the *production of laws in congress*. This measure goes to the core of the concept and captures it in a direct way. In a presidential regime a law (or a resolution) must pass in congress (both chambers) with a plurality or a majority depending on voting rules, and the president must sanction it. The president can veto a law, and the congress can overrule the veto.⁸⁶ “Actual Deadlock” situations will be displayed in the production of laws and resolutions in the congress. In a crisis situation, the president might try to veto all laws, or congress might decide not to pass any laws or resolutions. If the hypotheses of the new institutionalists are correct we might expect a fall in the production of laws and resolutions in congress prior to a negative regime change.⁸⁷ Furthermore, we would also expect a fall in the production when there are potential deadlocks (minority government, multiple parties etc.). Hence, this variable is an intermediate variable between the potential

⁸⁶ For the rules of veto and veto override in the Dominican Republic, see chapter 4.

⁸⁷ A negative regime change should be a self-evident concept. It means the process of slow death or quick death of a democratic regime, e.g. the disappearance of one or more criteria for democracy. A positive regime change could be a transition to democracy or the process of virtuous institutionalisation. See chapter 2.

deadlock situations and regime changes or presidential dominance. If the new institutional theories are correct, a potential deadlock situation leads to a lower production of laws in Congress, and which finally might lead to a breakdown of the regime or presidential dominance.

In chapter 5, I measure both the central tendencies of the production of laws in congress, and identify actual deadlocks. The identification of “Actual Deadlocks” is the second way to measure the executive-legislative relations. The variable is a dichotomy. Operationally, I define an “Actual Deadlock” legislature to be a legislature where *fewer than 10 laws of the category “All Laws” passed in congress.*⁸⁸ This is an almost random number, which is difficult to argue for theoretically. However, a limit must be set and defined. Nonetheless, this limit seems to fit my case well, it is not too exclusive (giving no actual deadlocks), nor too inclusive (giving too many actual deadlocks). Minor variation could of course give other results. However, these variations do not change my analysis or the overall result. I discuss this in chapter 5.

The data are from the “Gaceta Oficial” from 1978 till 2002. I organised the laws and resolutions in various categories according to importance and type.⁸⁹ The laws and resolutions are coded in legislatures according to the date they passed in the last chamber they were treated.

3.2.2 How to measure presidential dominance

Another possible effect of the independent variables is that a president, in case of conflict with the legislative, can try to bypass the legislative. In the cited literature, presidential dominance is scarcely operationalised. Presidential dominance or circumvention of congress does not necessarily mean a regime change. The president might decide to *rule by decree* if congress does not pass any laws. If this is correct, we can expect that the number of decrees would increase during a potential or actual deadlock situation. The number of decrees is not an ideal measure for presidential dominance in Latin American countries (Carey & Shugart 1998: 12).⁹⁰ I include it here because I gathered data material on this during my research visit in the Dominican Republic.

⁸⁸ The category “All Laws” is coded in chapter 5 and appendix III.

⁸⁹ For coding rules, see appendix III.

⁹⁰ As mentioned above, this is because the Spanish word “decreto” also includes what would be referred to as executive or administrative orders, or rule-making.

But as I mentioned above, it seems that decrees in the Dominican Republic mostly reflect non-significant affairs. Therefore, I do not expect any clear patterns on this variable.

However, I introduce another variable of presidential-legislative relations: *Presidential share of the budget expenses*. Hartlyn (1998a) partly used this variable on the Dominican Republic to show the neopatrimonial tendencies of the political regime. I use the variable systematically to investigate if it follows the pattern expected by the new institutional theories. Again, we might expect the presidential share of the budget expenses to rise during potential deadlock situations and during actual deadlocks. If potential or actual deadlock situations do not create a regime change, they are expected to create presidential circumventions of congress or dominance to alleviate the deadlock crises.

3.2.3 Regime change

Do potential or “Actual Deadlock” situations lead to regime change? There is no general agreement on whether there have been regime changes in the Dominican Republic 1966-2002 (see chapters 4 and 6). In chapter 4, I find that there have been regime changes. The new institutional hypothesis is that deadlocks can lead to breakdown of democracy.

The new institutional theories work with democracy as a dichotomy. My categorisation is not a dichotomy. It is therefore not certain that potential and actual deadlock will trigger regime changes as I define them. It might be that my finely graded concept of democracy is not a valid measure with respect to the independent variables. The regime changes referred to by the cited literature are total breakdowns of democracy (sudden death of democracy), and not as my categorisation opens for, minor changes as virtuous and perverse institutionalisation (slow death of democracy). However, I can test if potential and actual deadlocks lead to minor regime changes, either positive (virtuous institutionalisation) or negative (perverse institutionalisation/slow death). My conceptualisation of democracy is therefore valid for my study. It captures more regime changes than the dichotomisation of democracy, i.e. it captures all regime changes a dichotomisation captures in addition to the minor changes on one or more criteria of democracy. This makes my conceptualisation not only valid, but it can also be an improvement to existing conceptualisation used in earlier works.

3.3 How to test the hypotheses

The various independent and dependent variables have different levels of measurement. Only one of my independent variables is naturally continuous: the effective number of parties. The party strength variable is an orderable, discrete variable and the remaining independent variables are nonorderable, discrete variables. The dependent variables are both continuous and discrete. The measures of presidential dominance (number of decrees and presidential share of budget expenses) and the general production of “All Laws” in congress are continuous variables. The measure of “Actual Deadlocks” and regime changes are dichotomous variables.

The variables’ various levels of measurement make it difficult to choose a single type of statistical analysis to explore the relationship between the variables and test the hypotheses. Log-linear analysis requires discrete variables and regression analysis requires continuous variables (Bohrnstedt & Knoke 1994: 20). The discrete variables could have been made continuous by converting them into dummy variables. This would have facilitated the use of regression analysis. However, to test the hypotheses’ predictive value on my measure “Actual Deadlocks”, a dichotomous dependent variable, I would still have had to use log-linear analysis. I have therefore chosen parsimony over complexity in my analysis.

In chapter 5, I use descriptive statistics and measures of percentages, standard deviation, frequency and means to test the relationship between the variables. To use the variables’ natural level of measurement allows me to “...retain the maximum amount of information available in the data” (Bohrnstedt & Knoke 1994: 19). I do not lose any information by using a low level of statistical analysis in my approach. I rather gain clarity in my models, and the results I get from my analysis will also be more acceptable on a prima facie level. I have, however, in Appendix III, tested the relationship between the various independent variables and the continuous dependent variables (production of “All Laws” in Congress and Presidential share of budget expenses) in a regression analysis. This analysis does not give us any additional information, but the results on the analysis strengthen and substantiate my findings in chapter 5.

4.0 Regime stability and consolidated democracy

After establishing a regime type (see section 2), we can further establish whether the regime is stable, consolidated or in a phase of a virtuous or perverse institutionalisation. This will be done in chapter 6.

4.1 Regime Stability

A political regime is not stable if there are any crises that may lead to a breakdown of the regime. If such a crisis does not change the regime type, e.g. a failed revolution, coup d'état, insurrection or invasion, the regime survives, but it is not stable. Most certainly the regime by itself is part of the reason for the crisis, revolutions don't just happen anywhere, normally there exists some sort of crisis beforehand (see e.g. Skocpol 1994). If the regime has some inclination for creating social problems, crises etc., and even though the regime survives a threat, we cannot be sure it will survive the next. Hence, the regime cannot be considered to be stable. Stability cannot be considered after the result of a crisis is a fact. Furthermore, if there is a breakdown of any of the criteria of democracy, the regime is unstable. The breakdowns of the democratic criteria (or democracy) can be abrupt changes like coups or revolution, or they might be slow evolutionary steps (O'Donnell 1992). If on the other hand, a regime manages to stabilise a set of democratic features over time, and there has not been a serious threats to the regime in the period under scrutiny or any foreseeable threats to the regime, the regime is considered to be stable.

4.2 Consolidated democracy

To be considered a consolidated democracy, the regime must obtain all of my five criteria for democracy, and show stability on these criteria. In addition, there must be a general acceptance, and behavioural compliance to all five components by all significant political actors. This acceptance and behaviour must be expected to last well into the future. I specify significant actors, because in almost all societies there are dissenting groups that do not accept the status quo of the regime. These do not always constitute a threat to the regime, its stability and consolidation. All actions that hamper the stability of the regime also affect its consolidation. If the regime shows stability, general acceptance of democratic principles and political institutions,

and self-reinforcing democratic behaviour, the regime is consolidated. In chapter 6 I focus on behaviour rather than attitudes to establish whether the Dominican regime is consolidated. In a perfect world attitudes should also be evaluated, however as Schneider (2002: 7), I see behaviour as an expression of attitudes. Since the concept of a consolidated democracy is forward looking, this is problematic. Behaviour can only be observed ex-post facto, and is not ideal for evaluating future events. Studying attitudes directly would have been a better option. However, this is a methodological compromise made on the basis of the time and resources available to me in this project. This approach is the best possible approach even though it might not be the best approach.

4.3 The relationship between the Core Concepts

Table 6 shows the conceptual relationship between democracy, institutional type, regime stability and consolidation and a consolidated democracy (the Core Concepts). Democracy is understood as a radial concept and the other concepts are classical categories connected and in addition to the root concept *democracy*. This means that for a regime to be stable it must show stability on the criteria of democracy present, stability requires survival (regime persistence) plus a low and stable probability of breakdown. A consolidated regime requires in addition to survival and stability, also that the criteria present are accepted and complied with behaviourally by all possible power groups. Virtuous or perverse institutionalisation on the other hand, refer to a process, and to the possible movement of adding or subtracting principles of democracy in a regime, or strengthening or weakening of already existing attributes of democracy (chapter 2).

Table 6: Relationship between the Core Concepts

Democracy, institutional type, virtuous/perverse institutionalisation, democratic stability and consolidated democracy:							
<i>Radial Category: Democracy</i>		Institutional type: Presidentialism		<i>Virtuous/perverse institutionalisation</i>	Classical category: Democratic Stability:		<i>Classical category: Consolidated democracy:</i>
<i>Components</i>	<i>Participation</i>	Election of chief executive	Institutional survival	<i>Process of adding or subtracting components of democracy, and solidifying (and extending expected persistence) or perverting each feature of democracy,</i>	Persistence (survival):	Probability of breakdown	<i>Acceptance/ Behaviour/ expected survival</i>
	<i>Contestation</i>						
	<i>Effective political Power</i>	Direct elections of chief executive	Separate survival for executive and legislative.		Persistence of components of regime and regime itself, signify survival.	Must be low and stable all the time to be a stable regime.	
	<i>Horizontal accountability</i>						
<i>Eff. Protection of civil and human rights</i>							

5.0 Hypotheses

Table 7: The expected relationship between the independent and dependent variables

Hypotheses		Independent variables					Dependent variables and expected effect by the independent variables					
		Government party size in congress	Veto situation	Number of parties	Presidential power	Party strength	Executive-legislative relations		Presidential dominance		Effects on regime	
							Production of "All Laws" in congress	Occurrence of actual deadlock	Pres. Decrees	Pres. Share of budget		
1	Linz-Mainwaring	Minority Government					Lower	Higher	Higher	Higher	Lower democratic stability	
2	Mainwaring			Increasing			Lower	Higher	Higher	Higher	Lower democratic stability	
3	Cheibub 1	Minority government (33,4-49,9% support in any chamber of Congress)	Opposition cannot override veto				Lower	Higher	Higher	Higher	Lower democratic survival	
4	Cheibub 2			Moderate Pluralism. Any 2 of 3 parties constitute a majority			Lower	Higher	Higher	Higher	Lower democratic survival	
5	Shugart & Carey				Low presidential Leg. power	High Party strength	Higher	Lower	Lower	Lower	Lower democratic stability	
6	New Institutional 1	Potential and "Actual Deadlocks"										Lower democratic survival
7	New institutional 2	Potential and "Actual Deadlocks"							Higher			
8	New institutional 3	Potential and "Actual Deadlocks"								Higher		

Table 7 shows that I shall test eight hypotheses against five dependent variables. Two dependent variables regard the executive-legislative relations and the activity in Congress: *The Production of "All Laws" in Congress and the occurrence of "Actual Deadlock"*. This creates two versions of the scholars' various hypotheses: One regarding the general production of laws in Congress and the other is regarding "Actual Deadlocks". The presidential dominance is operationalised as the number of "Presidential decrees" and the "Presidential share of the budget expenses". Therefore we have three general "New Institutional hypotheses": One is regarding regime survival,⁹¹ one regarding presidential decrees and one regarding the presidential share of the

⁹¹ In chapter 6 I will discuss the institutions effect on regime stability and virtuous/perverse institutionalisation.

budget expenses. The last variable, far right in the table, concerns democratic regime stability. Cheibub (2002) uses the concept regime survival and not regime stability, we see below that there is a difference between the two concepts. In chapter 5, I link the hypotheses with the concept of regime survival or regime change based on my classification of the Dominican political regime in chapter 4. I test whether it is possible to connect any potential or actual deadlock to any regime changes in the period 1978-2002. In chapter 6, I link the political institutions to the concepts virtuous/perverse institutionalisation, regime stability and consolidated democracy.

These hypotheses are to be tested in chapter 5:

The Linz hypothesis (H):

Linz H: A parliamentary form of regime is better than a presidential form of regime at fulfilling the criteria for democracy, and stabilising and consolidating a democracy.

This is a case study of a presidential form of regime. Therefore this hypothesis cannot be properly tested. For the same reason it was not included in the previous table (table 7).

1) The Linz-Mainwaring hypotheses:

Linz-Mainwaring H: During minority presidential governments there will be a lower production in congress than during majority presidential governments.

Linz-Mainwaring Deadlock H: During minority presidential governments there will be a higher frequency of "Actual Deadlocks" than during majority presidential governments.

2) The Mainwaring hypotheses:

Mainwaring H: With increasing number of parties the production in congress will decrease.

Mainwaring Deadlock H: With increasing number of parties there will be an increasing frequency of "Actual Deadlocks".

3) The Cheibub 1 hypotheses:

Cheibub 1H: In the situations when the opposition cannot override a presidential veto and the president's party does not enjoy a majority in both chambers of congress, there will be a lower production in congress as compared to all other situations.

Cheibub 1 Deadlock H: In the situations when the opposition cannot override a presidential veto and the president's party does not enjoy a majority in both chambers of congress, there will be a higher frequency of "Actual Deadlocks" as compared to all other situations.

4) The Cheibub 2 hypotheses:

Chapter 3: Methodological Considerations

Cheibub 2H: *Moderate pluralism, a situation where any 2 of 3 parties constitute a majority in Congress, lead to a lower production in congress than any other situation.*

Cheibub 2 Deadlock H: *Moderate pluralism, a situation where any 2 of 3 parties constitute a majority in Congress, lead to a higher frequency of "Actual Deadlocks" than any other situation.*

5) The Shugart & Carey Hypotheses:

Shugart & Carey H: *The production in congress will increase as the party strength increases.*

Shugart & Carey Deadlock H: *There will be a lower frequency of "Actual Deadlocks" as the party strength increases.*

The Shugart & Carey (1992) hypothesis is under the condition that the presidential powers are held constant, which they are in my case (see chapter 4).

The overarching new institutional (NI) hypotheses are:

6) The New Institutional 1 hypothesis:

New Institutional 1: *Potential (and actual) deadlock has a negative effect on the survival of a regime (democracy).*

7) The New Institutional 2 hypothesis:

New institutional 2: *Potential (and actual) deadlock leads to an increased presidential dominance (increased use of decrees).*

8) The New Institutional 3 hypothesis:

New institutional 3: *Potential (and actual) deadlock leads to an increased presidential dominance (increased presidential share of budget expenses).*

1.0 Introduction

The previous chapter discussed the operationalisation and conceptualisation of political regimes. In this chapter I use my conceptualisation and operationalisation of regimes to discuss the Dominican presidentialism (section 2), the former regime classifications of the Dominican Republic (section 3) and what type of democracy we find in the Dominican Republic between 1966 and 2002 (section 4). A classification is not a causal analysis, but is important for causal analyses. How we classify regimes has an impact on the evaluation of independent variables explaining outcomes of regime stability or breakdowns. Therefore, I separated my classification of the Dominican regime from my analysis of the effect of institutional factors on the survival of the regime (chapter 5) and the institutions' effect on virtuous and perverse institutionalisation (chapter 6).

My analysis in section 2 criticises Shugart & Carey's (1992) analysis of the presidential powers in the Dominican Republic. I show that their measure of the presidential powers in the Dominican Republic is problematic. In section 4, I focus on the democratic procedures, and I show that the Dominican Republic has failed to satisfy many of these procedures between 1966 and 2002. The period 1966-2002 is best classified as a type of semi democracy. This chapter shows which types of semi democracies.

2.0 The Dominican Republic: A presidential form of regime

The PR, led by former "puppet" president the last two years of the Trujillo era (1960-1961), Joaquín Balaguer, won the elections in 1966 by a landslide and got 64,9% and 81,5% of the seats in the Lower Chamber and Senate, respectively.⁹² As in 1962 when the PRD won the elections, the opposition was marginalised in the following Constitution making process.⁹³ But in 1966, Balaguer had the support of the army, the Church, business and the USA.

⁹² PR received 56.7% of the votes, thus the electoral system gave the biggest party a considerable, and decisive, overrepresentation (JCE: <http://www.jce.do/elecciones%20pasadas/nivel1966.htm>. Accessed 20/05-2003).

⁹³ But, to a difference from the 1966 elections, the 1962 elections are considered to have been flawless. This is also the first OAS observed election in the country. Before the election the OAS also offered legal and technical assistance. Their presence is considered to have been important for the fairness and orderliness of the process (Slater 1964: 277). The PRD received 58.7% of the votes, and received a 66.2% in the Lower Chamber and 81.5% in the

The Dominican Republic had, and still has, a combination of a representative Lower Chamber with proportional representation with moderate sized lists (D'Hondt's method), plurality election in single member districts for the Senate. This should give a good combination of efficiency and representation (Shugart & Carey 1992: 12-14). In 1962 and 1966 there was 1 Senator to every 3 Lower Chamber representatives, giving a somewhat higher emphasis on efficiency than now.⁹⁴ Additionally, the Lower Chamber was somewhat less representatively composed in 1966 than today because there were fewer seats in the Lower Chamber (74 in 1966, 150 today). Apparently, efficiency was too high. The consequence was that the PRD in 1962 and the PR in 1966, won the sufficient 2/3 majority to unilaterally carry the Constitution.⁹⁵ This contributed in 1963 to a breakdown of democracy and in 1966-1978 to a regime with low legitimacy.

The 1966 Constitution was based on the 1955 Trujillo era Constitution (F.D. Espinal 2001: 208).⁹⁶ The president was elected coterminously with Congress every four years in a plurality election without any restrictions on reelection. Congress has two chambers, the Senate and the Lower Chamber. Both chambers in Congress were given almost the same faculties, with some important exceptions: 1) In the first legislature after every election, the Senate elects the Junta Central Electoral (JCE) judges for four years terms. The JCE organises the elections, it is the judiciary power in electoral matters, and can propose electoral laws. 2) In the first legislature after every election, the Senate appoints for four years terms the Supreme Court Judges (reformed in 1994). 3) The Senate confirms the presidential nominations of the judges of the highest auditory institution, the Cámara de Cuentas (CdC). 4) The Senate confirms the President's diplomatic nominations.

Senate, the same overrepresentation as the PR in 1966 (JCE: <http://www.jce.do/elecciones%20pasadas/nivel1962.htm>. Accessed 20/05-2003).

⁹⁴ Today there is 1 senator for every 5 representatives in the Lower Chamber, a relation of 0.21, whereas in 1962-1974 there were 3 for each senator, a relation of 0.36.

⁹⁵ The PR did not get a 2/3 majority in the Lower Chamber. They lacked one representative. This problem was bypassed with a new law. The new law said that only a simple majority was needed in each chamber to convene the National Assembly (the Senate and Lower Chamber as one assembly) (F.D. Espinal 2001: 206-207). To carry the Constitution in the National Assembly, a 2/3 majority was needed. The PR enjoyed this majority because of its overwhelming majority in the Senate.

⁹⁶ Shugart & Carey (1992: 89) wrongly suggest that the 1966 constitution is inherited by the PRD 1962 constitution. F.D. Espinal (2001) clearly demonstrates that this is not the case.

2.1 Presidential powers

Shugart & Carey's (1992: 155) scale of presidential powers states that the Dominican president scores high on non-legislative powers and scores low on legislative powers. The president scores high on non-legislative powers because the president has full powers on cabinet formation and cabinet dismissal; and Congress has no power to censure secretaries.⁹⁷ This makes the Dominican Republic a pure presidential form of regime, and since the president cannot dissolve Congress there is a total separation of survival between the two institutions (Shugart & Carey 1992: 160). Shugart & Carey's (1992) non-legislative power scale only considers powers with respect to *cabinet* formation. But, the Dominican president has powers to nominate and dismiss *all* public employees. This gives the president powers that exceed Shugart & Carey's (1992) scale.⁹⁸ According to Shugart & Carey (1992: 155) the president has low legislative powers because he only enjoys a package veto, and not partial veto.⁹⁹ He does not enjoy decree powers, exclusive introduction of laws, extra budgetary powers, or power to call for a referendum. However, Shugart & Carey's (1992) indicator of the president's budgetary powers is partly flawed because of empirical errors and partly due to methodological problems (it would be higher if the scale coding had been measured differently).¹⁰⁰ And, Shugart & Carey's (1992) assessment of the president's decree powers is empirically wrong (see below).

The president's powers with respect to the budget escape the Shugart & Carey (1992) codification. The president's budgetary powers are not as strong as the highest possible score in the Shugart & Carey (1992) index, which is "no amendments" on the budget, but it is close. *Congress cannot increase spending if revenues not also are designated* (Constitución art. 115: I). This should in Shugart & Carey's (1992) scale have given the Dominican president 1 point on their scale, and not 0 point, as they state. *Congress cannot introduce any new increases nor modify any expenses without having a 2/3 majority of the totality of the members in each of the*

⁹⁷ The ministers and ministries of the government in the Dominican Republic are called secretaries.

⁹⁸ Regarding the non-legislative powers, Johannsen & Nørgaard's (2003) scale is better and has a more diverse range of these powers, including appointive powers of other important bureaucratic officials.

⁹⁹ The veto power has however been classified as "strong" in Shugart & Mainwaring (1997: 49) because of the veto override conditions, 2/3 majority in both chambers.

¹⁰⁰ Their scores are from 4 to 0 points. For four points no amendments are permitted; for three points only reductions are permitted; for two points the president sets upper limits on the total spending, only amendments within these limits are permitted; for one point increases are permitted only if new revenues are designated; and for zero points there must be no restrictions on amendments. The Dominican Republic scored zero. See Shugart & Carey (1992: 150) for coding rules and Shugart & Carey (1992: 155) for the Dominican scores.

chambers (Constitución art. 115: II).¹⁰¹ *Congress cannot move allocations between the chapters in the budget if it is not supported by a law with a 2/3 majority* (Constitución art. 115).¹⁰² In effect, it is more demanding to introduce or modify expenses in the national budget than to reform the constitution!¹⁰³ Furthermore, the president has some decree powers with respect to the budget. When Congress is not in session the president can, by decree, freely move money between budget chapters (Constitución art. 115: V). In Shugart & Carey's (1992) scale, this should have given the Dominican Presidency a higher score on the presidential decree powers. The President also has another power advantage over Congress. If Congress fails to pass the national budget, previous year's budget automatically becomes valid for another year. This effectively denies Congress threat and deadlock power. Congress cannot immobilise the government by not passing the budget. The president has no incentives to present a budget that can win a majority in Congress, and there are no institutional incentives to make compromises around the budget.

Regarding the decree powers, it is not true as Carey, Neto & Shugart (1997: 449-450), and Shugart & Carey (1992: 155) allege that there are no provisions regarding the decree powers. Decrees are mentioned in both arts. 55 (regarding presidential powers), and 115 (the budget) of the Constitution, which should have given the regime either 2 or 1 point in the Shugart & Carey (1992) scale. However, the president's decree powers are, as expected (Carey & Shugart 1998: 12), normally used to issue minor executive orders.¹⁰⁴

To conclude: 2 or 3 points should have been added to the scale of legislative presidential powers as used by Shugart & Carey (1992). Originally, Shugart & Carey (1992: 155) gave the Dominican President 2 out of 24 points on their scale.¹⁰⁵ And, 1 or 2 additional points might have been added if the scale had been slightly different, e.g. giving "power points" when super-majorities were required to change the budget. It is, however, clear that the Dominican

¹⁰¹ See F.D. Espinal (2001: 212), and Constitución art 115. Notice that it is the totality of the members, not a 2/3 majority of the votes cast.

¹⁰² The budget is organised in chapters, one for each secretary and the Presidency, one for Congress, one for the JCE, one for the CdC and one for the Attorney General.

¹⁰³ Compare articles 115 and 116-118 of the Constitution. Constitutional reforms require a 2/3 majority in the National assembly. The National Assembly is the Senate and the Lower Chamber convened in one chamber.

¹⁰⁴ For a discussion and exceptions to this pattern, see chapter 5.

¹⁰⁵ The presidential regime with the highest score on presidential legislative powers was Chile in 1969 with 12 out of 24 points (Shugart & Carey 1992: 155).

Presidency enjoys vast budgetary powers. And even though the Shugart & Carey scale does not catch this reality (no scale is perfect), it is questionable to argue that in case of institutional conflicts, the Congress prevails because of the low presidential powers in regimes as the Dominican Republic, (Shugart & Carey 1992: 165). In the Dominican Republic the situation is the reverse. During conflicts with respect to the budget, the president prevails.

Table 8: Regime Efficiency

Efficiency/Inefficiency		Party strength:	
Presidential Legislative power:		High	Low
	High	Almost non-existent (Possibly Ecuador), Dominican Republic if real budgetary and decree powers taken into consideration.	Inefficient regimes: e.g. Brazil (88), Chile pre-58, Colombia, and Brazil 46.
	Low	Efficient regimes: Dominican Republic, Costa Rica, and Venezuela	Almost non-existent

Notes: The table is a simplified version of Shugart & Carey (1992: 177). My classification of the Dominican Republic is in bold. The others are Shugart & Carey’s original classifications.

All in all we see that two of Shugart & Carey’s (1992) indicators of presidential legislative powers do not capture the real powers of the Dominican President. As table 8 shows, in my assessment of the Dominican presidency using Shugart & Carey’s (1992) indicators of presidential legislative powers, the regime should have been placed in the upper left quadrant with the combination of high legislative powers and high party strength, rather than in the lower left quadrant with low presidential legislative powers and high party strength.¹⁰⁶

With respect to the powers of the presidency,¹⁰⁷ one case, the Dominican Republic, out of the four cases supporting the thesis that high non-legislative and low legislative power is favourable to the stability of democracy, is misclassified (Shugart & Carey 1992: 154-158).¹⁰⁸ And one case,

¹⁰⁶ If the real powers had been considered regarding budgetary and decree powers, the presidential legislative score would be 6 or 7 out of 24 rather than 2 out of 24 (three extra for budgetary power, and one or two extra for decree power). This would place the presidential regime as a presidency with high powers both legislatively and non-legislatively (Shugart & Carey’s (1992) breakpoint between high and low presidential legislative powers, is 6 points), and would put the regime in a higher “risk zone” of breakdowns of democracy. The high-high powered presidencies have a 50% breakdown of all cases, whereas the high-low where the Dominican Republic was placed had only a 25% breakdown frequency (Shugart & Carey 1992: 155-158). In other words, with this coding, the Dominican Republic would have been classified differently, and would not fit the pattern of breakdown and presidential power and party strength.

¹⁰⁷ Below, section 3.4, I show that Shugart & Carey’s (1992) operationalisation of democracy also is problematic.

¹⁰⁸ The three others are Costa Rica, USA and Venezuela. Shugart & Carey (1992: 41, 156-158, 176-178).

the Dominican Republic, out of three cases supporting the efficiency thesis, is misclassified. This changes totally the empirical basis for their theories, and weakens them considerably.¹⁰⁹

The Dominican President has veto powers (Constitución art. 41). A veto override requires a 2/3 majority of *all* the members in each chamber of Congress. These constitutional rules create high probabilities for potential deadlock situations (Cheibub 2002: 289-291). Table 9 shows that the Dominican Republic had 14 years between 1966 and 2002 of Cheibub's (2002) potential deadlock, 4 years of oppositional dominance, and 18 years of presidential dominance, but only 6 of these 18 after 1978.

Table 9: Cheibub's potential deadlock situations in the Dominican Republic

Seats held by President's party in Senate:	Seats held by President's party in Lower Chamber:		
	0% - 33%	33.3% - 50%	> 50%
0% - 33%	Possible veto; opposition overrides ("opposition rules") 96-98, 98-00 (PLD)	Possible veto, opposition cannot override in lower house.	Possible veto, opposition cannot override in lower house.
33.3% - 50%	Possible veto; opposition cannot override in upper house	Possible veto; opposition cannot override in either house. 94-96 (PRSC)	Possible veto; opposition cannot override in either house. 78-82 (PRD)
> 50%	Possible veto; opposition cannot override in upper house	Possible veto; opposition cannot override in either house. 86-94 (PRSC), 02-04 (PRD)	No veto: ("president rules") 62-66 (PRD) (coup), 66-78 (PR), 82-86 (PRD), 00-02 (PRD)

Notes: Table taken from Cheibub (2002: 291), and applied to the Dominican Republic. Cells in bold are potential deadlock situations. Data from JCE (<http://www.jce.do>). Party names in parentheses indicate government parties.

2.2 The constitutional and other reforms of 1994-2002

After the problematic elections in 1994, the post-electoral crisis led to the widely and long awaited constitutional reform. One of the greatest problems of the 1966 Constitution was that it totally politicised the Supreme Court and the rest of the judicial system (see above, section 2.0). Opposition parties, civil society and the Catholic Church demanded reforms that would depoliticise the judicial sector.¹¹⁰ The JCE, elected the same way as the SCJ, had also been

¹⁰⁹ In addition, another of their positive cases, Venezuela in 1992, the year the Shugart & Carey (1992) work was published, experienced two coup attempts and another in 2002. After the 2002 coup, Venezuela lived months of general strikes and effective deadlock. This hardly constitutes a stable democracy, or an efficient regime. However, Shugart & Carey are political scientists, not futurologists, and can of course not be blamed for not having predicted coup attempts in Venezuela.

¹¹⁰ E.g. FINJUS, a civil society organisation, was founded in 1990 by lawyers and the business sector with the aim of creating an independent and professional judicial sector. Around the electoral crisis in 1994 the organisation successfully influenced a lot of central politicians in the direction of reforming the articles in the Constitution regarding the election of the Supreme Court judges (Miranda 2003).

criticised in all elections since 1986, but the JCE did not receive the same attention as the SCJ. Another central issue was the presidential reelection. The 1994 reform introduced a ban on immediate presidential reelection. Many claim that reelection has had a negative effect on the Dominican political system throughout its history.¹¹¹ Throughout all the constitutional reforms and debates in the country's history this has been a recurring theme (F.D. Espinal 2001: 5). The debate in 1994 was acute since Balaguer had just "won" his third consecutive presidential election, and had been in power for 20 years since 1966. A "pacted" way out of the crisis was sought. As in 1962 and 1966, instead of seeking a broad agreement that could have legitimised the reform, a partial exclusion of the PRD assured some hostilities towards the agreement (Hartlyn 1998a: 253-254, Díaz S. 1996: 217-234). Nevertheless, the pact terminated the worst enmity between the political parties, and was also accepted and facilitated by international observers and the Catholic Church (OEA 1997: 48-49).

The pact included some constitutional and institutional reforms. One was professionalisation of the SCJ with the creation in 1997 of the Consejo Nacional de Magistratura (CNM) (National Council of Magistrates) to name the judges,¹¹² and lifelong tenure of the Supreme Court judges. Another was to shorten Balaguer's electoral period to two years, creating non-concurrent (midterm) congressional elections. A third was the ban on immediate presidential reelection. Although there have been complaints of the presidential "arrastre" ("catch") of votes in previous elections (e.g. Espinal 2001: 30) this was not the reason for the splitting the elections. The reform was the result of the opposition's need to shorten Balaguer's time in the presidency. The plurality presidential elections were reformed in 1994 into a second round election with a 50% threshold in the first round. Furthermore, the pact included the requirement of closed voting stations to avoid double voting and fraud in future elections. Finally, there was a consensus that the future

¹¹¹ This is Peña Gómez's (2000) main hypothesis in his master thesis of law. Peña Gómez was an influential and popular political leader of the PRD from 1973 till his death in 1998. The PRD, the party that most fervently opposed the reelection, was also the party that most eagerly pushed for the constitutional reform opening for one presidential reelection in 2002. Incidentally the same year as the PRD published the reelection critical pamphlet called: "La reelección presidencial en el marco del pensamiento del Dr. José Francisco Peña Gómez" (The presidential reelection according to the thoughts of Dr. José Francisco Peña Gómez) (Polanco 2002).

¹¹² The CNM has seven members: The President, the presidents of both chambers of congress, a representative from both chambers who are not from the same parties as the presidents of their chamber, the president of the Supreme Court and a member of the Supreme Court designated by the same court (Constitución 1994 art. 64, Law 169-97). This composition is to assure impartiality and depoliticisation of the electoral process of the judges.

elections of the JCE should be depoliticised, but no reforms were initiated (Hartlyn 1998a: 254, Hoy 11/08-94, 30/08-94).

In July 2002, after the congressional and local elections in May 2002, but before the new congressional period started (August 16), the PRD administration pressured for a constitutional reform to open for one presidential reelection and the dissolving of the closed voting station. The pressure succeeded and the reforms were passed in an atmosphere of protests and distrust. The PRD was split and civil society organisations such as Participación Ciudadana (PC) protested fiercely. The timing in itself was also delegitimising since it was pushed through just before the inauguration of the new Congress.

Table 10 presents some of the important aspects of the Dominican presidentialism discussed above, and the changes from the constitutional reforms in 1994 and 2002.

Table 10: Aspects of the Dominican presidentialism

Constitution	Presidential election	Electoral cycles	Assemblies	Veto rules
1966	Plurality, no limits on reelection	Concurrent	Lower Chamber: Proportional Representation (D'Hondt), Senate: Single Member District Plurality elections	2/3 majority of all the members in both chambers to override. Chambers vote separately
1994	Majority (Two rounds 50%). No immediate reelection.	Nonconcurrent Midterm		
2002	One reelection			

Notes: Data from Constitución 1994 and 2002, F.D. Espinal (2001).

3.0 The Dominican Republic 1966-2002. A Democracy?

How you label a political regime should depend on definitional criteria of political regimes. It should not depend on the operationalisation of the concepts. Here I present some studies, both variable oriented multiple-case studies (e.g. Shugart & Carey 1992), case oriented multiple-case studies (e.g. Higley & Gunther (eds.) 1992) and case studies (e.g. Espinal 1994a) and discuss them with respect to validity and reliability.¹¹³ Some of the studies I present try to find objective parameters and subsequently, quantify the democracy (e.g. Freedom House), although we have to

¹¹³ The distinction I make between these studies is inspired by Ragin & Zaret (1983). A case oriented study include chapters with specific cases, the variable oriented study does not.

bear in mind that even these numerical values are ultimately based on qualitative evaluations. Other studies use a more interpretive method to study democracy (e.g. Hartlyn 1998a).

3.1 A presentation of studies of democracy

The studies display a disturbing discrepancy in their classification of the political regime in the Dominican Republic. Table 11 (next page) shows how various scholars have classified the Dominican political regime with respect to democracy.¹¹⁴

We can see that all the case studies (the lower rows, table 11 next page) define the period 1966-1978 as non-democratic, whereas both variable oriented multiple case studies (Vo.MCS) such as Shugart & Carey (1992), Przeworski et. al. (2000) and case oriented multiple case studies (Co.MCS) as Shugart & Mainwaring (1997), argue that the period 1966-1978 was democratic. Other variable oriented multiple-case studies, as Freedom House (2001) and Mainwaring et. al. (2001) argue that the period 1966-1978 has varied between being non-democratic, semidemocratic and democratic.

There are some differences with respect to classifying the period 1978-1994, but the agreement is almost general. Three case studies argue that the Dominican Republic between 1986 and 1996 was semi-democratic (Hartlyn 1998a, Jiménez Polanco 1999 and Wiarda 1998). From 1993-1994, the results differ once again. Many studies in my table end in the early nineties, and do not measure this period. However, the tendency is still the same: Case studies are more reluctant to define the country as fully democratic. I believe there are four main reasons for the differences, one is theoretical, two are validity problems and one is a reliability problem.

¹¹⁴ This list must not be seen as an exhaustive list of studies on democracy in the Dominican Republic. It includes, however, the most important contributions of studies of Dominican Republic politics. It also covers various institutional studies, legacy theories, multiple case studies, and case studies. It should give a good indication of how the Dominican Republic has been considered in the world of political science the last 15-20 years.

Table 11: Classifications of the Dominican Regime 1966-2002

Authors:	Type of study	1966-1970	1971-1980	1981-1990	1991-2000	01 02
Linz 1994 (Stepan & Skach 1994)	Vo. MCS.					
Shugart & Carey 1992	Vo. MCS.					
Shugart & Mainwaring 1997	Co. MCS					
Mainwaring et. al. 2001	Vo. MCS					
Dahl 1971	Vo. MCS					
Colomer 2001	Vo. MCS					
Freedom House 2001	Vo. MCS					
Przeworski et. al. 2000, Cheibub 2002	Vo. MCS					
O'Donnell 1992, 1996a	-					
Espinal 1994a, Conaghan & Espinal 1990	CS					
F. D. Espinal 2001	CS					
Hartlyn 1998a, Espinal & Hartlyn 1999	CS CS					
Jiménez Polanco 1999	CS					
Wiarda 1998	CS					
Higley & Gunther 1992 (Sánchez 1997)	Co. MCS (CS)					
		Authoritarianism	Semi-democracy	Democracy		

Notes: Vo: Variable Oriented, Co: Case Oriented, MCS: Multiple Case study, CS: Case Study. Blank areas are periods not considered by the scholars.

3.2 Theoretical differences

One legitimate reason for the varying classifications is that the scholars use different definitions of democracy. Przeworski et. al. (2000) defined democracy as contestation in elections. If the Dominican Republic only satisfies the contestation criterion and no other democratic criterion, difference in categorisation between Przeworski et.al (2000) and other scholars with a less minimal definition of democracy, is expected. This could explain the differences between Przeworski et.al. (2000), and e.g. Mainwaring et. al. (2001). What Mainwaring et. al. (2001) see as parts of a democracy, e.g. effective protection of civil liberties and political rights, Przeworski et. al. (2000) consider as possible effects of democracy. Mainwaring et. al.'s (2001) definition is higher on intension than Przeworski et. al.'s (2000) definition, and subsequently lower on extension.

Table 12 shows that the fewer the criteria, the more democratic years. The extreme is Przeworski et. al. (2000): One democratic criterion and 28 democratic years (100% of the time measured. Hartlyn (1998a) and Espinal & Hartlyn (1999) operate with 3 criteria and only 8 years of full democracy. F.D. Espinal (2001) (4 criteria) does not follow this tendency, but he dichotomises democracy and authoritarianism, hence a semi democracy for Hartlyn (1998a) and Espinal & Hartlyn (1999) might be regarded as democracy by F.D. Espinal (2001).

Table 12: Number of criteria for democracy and years of democracy in the Dominican Republic 1966-1994

Criteria for democracy	Contestation	Participation	Powers to elected rulers	Horizontal accountability	Civil liberties and political rights	Years of democracy/total years measured
Authors						
F.D. Espinal 2001						16/28
Mainwaring et. al. 2001						15/28
Hartlyn 1998a, Espinal & Hartlyn 1999						8/28
Shugart & Mainwaring 1997						22/22
Higley & Gunther eds. 1992 (Sánchez 1997)						16/28
Freedom House 2001						17/22
Colomer 2001						28/28
Przeworski et. al. 2000						28/28
Shugart & Carey 1992	??????????	??????????				26/26

Notes: Grey area means that the scholars *include* these criteria in their definitions of democracy. Blank area means that these criteria are *not included* in the scholars' definitions of democracy. Colomer does not specifically define democracy, but his classifications are partly based on Freedom House for years from 1972. Earlier periods seem, to have been categorised as democracies if universal men's suffrage was satisfied, i.e. participation. The question marks mean that the scholars lack a clear definition of democracy in their studies.

I define a regime lacking full participation a “limited democracy” (see chapter 3). If there exists full contestation, but not full participation, my “limited democracy” is a “full democracy” according to Przeworski et. al. (2000). Higley & Gunther (eds. 1992) would call my “limited democracy” authoritarian. Higley & Gunther (eds. 1992) include participation in their definition of democracy and use the classical conceptualisation. This means that if the regime does not share all attributes with the root concept “democracy” (in Higley & Gunther eds. 1992: contestation, participation and civil liberties and political rights), it is not a democracy. For Mainwaring et. al. (2001), a regime that does not satisfy the participation criterion, but their other three criteria, can be a semi-democracy or authoritarian depending on the severity of the violations of the principle of participation.

Even though we do not understand the same by democracy, my conceptualisation allows us to identify our differences. The adjective (-s) I adhere to democracy indicates what criterion (-a) of

democracy is not satisfied in a political regime. Other scholars normally leave us guessing by the use of the term “semi-democracy” why a regime is not fully democratic. Thus, my approach increases analytical differentiation, while preserving conceptual validity.

We also find classificatory disagreements on my case when we compare studies based on a substantive definition of democracy with studies based on a procedural definition. A comparison of the Freedom House and the Fitzgibbon-Johnson surveys on Latin America shows that how you define democracy affects the classification of a regime. The Freedom House and the Fitzgibbon-Johnson surveys are both based on experts’ evaluations. The Freedom House is based on a procedural definition of democracy (political rights and civil liberties), whereas the Fitzgibbon-Johnson survey uses a substantive understanding of democracy.¹¹⁵ The Dominican Republic is according to the Fitzgibbon survey for the period 1970-2000 the 13th (of 20) best democratic country in Latin America, and 15th of 20 in the period 1945-2000 (LASA Forum 23(1): 11). In the Freedom House rating, the Dominican Republic is placed 3rd among the 20 Latin-American countries for the period 1972-2000 (Freedom House 2001).¹¹⁶ Both the Freedom House and the Fitzgibbon-Johnson surveys measure democracy. The differences in these findings are understandable since procedural and substantive definitions of democracy are very distinct. The problem is, however, that both studies use the same name of the concept, but their definitions and results strongly suggest that they measure two different things.¹¹⁷ These different results are good arguments for an improved conceptualisation of democracy, and to take a closer look at the Dominican Republic.

¹¹⁵ The Fitzgibbon-Johnson survey uses fifteen indicators: (Italics are procedural criteria) 1) An education level sufficient to give the political processes some substance and vitality. 2) A fairly adequate standard of living. 3) A sense of internal unity and national cohesion. 4) A belief by a people in their individual political dignity and maturity. 5) An absence of foreign domination 6) *Freedom of press, speech, assembly, radio, and so on.* 7) *Free elections; honestly counted votes.* 8) *Freedom of party organization; genuine and effective party opposition in the legislature; legislative scrutiny of the executive branch.* 9) *An independent judiciary; respect for its decisions.* 10) Public awareness of the collection and expenditure of governmental funds. 11) An intelligent attitude toward social legislation; the vitality of such legislation as applied. 12) *Civilian supremacy over the military.* 13) A reasonable freedom of political life from the impact of ecclesiastical controls. 14) An attitude toward and development of technical and scientific government administration. 15) An intelligent and sympathetic administration of whatever local selfgovernment prevails (Kelly 1998: 3-4).

¹¹⁶ For details of my calculations, see Appendix II.

¹¹⁷ This is of course not totally correct. Freedom House uses its survey as a measure of “Freedom”. However, it is used in the literature as an indicator of democracy.

3.3 Validity problems

Validity refers to what is actually measured and if the theoretical research question is captured in the method and operationalisation of the variables used in the study (Hellevik 1997: 39-44, Bohrnstedt & Knoke 1994: 533). A concept needs a theoretical definition and an operational definition. This last definition indicates how the theoretical concept should be measured, and should not deviate from what is the nature of the concept that one wants to study. If it does, there is a validity problem. I discuss two different validity problems in the studies on democracy.

3.3.1 Diverging theoretical and operational definitions of democracy

Shugart & Mainwaring (1997) and Hartlyn (1998a) define democracy equally, using my criteria 1, 2 and 5 (see table 12), but classify the Dominican Republic 1972-1978 differently.¹¹⁸ Shugart & Mainwaring (1997) classify the Dominican regime 1972-1978 as a democracy, whereas Hartlyn (1998a) classify the Dominican regime 1972-1978 as authoritarian. Why? The problem lies in the operationalisation of democracy. Hartlyn's (1998a) work is a single-case study. Therefore he, as myself, has time and capacity to study deeply each and every aspect of the regime. Shugart & Mainwaring's (1997) study is a multiple case study and they need to find valid measures on democracy that do not require too many resources or time to gather. Despite these differences and granted the fact that they use the same definition, for Hartlyn (1998a) and Shugart & Mainwaring's (1997) classifications to be reliable, they should show the same result. The validity problem in Shugart & Mainwaring's (1997) study resides in their use of the Freedom House scale of "Freedom". Shugart & Mainwaring (1997) use Freedom House's scale to measure democracy, but do not follow Freedom House's own recommendations for what a democracy is. Freedom House is stricter in their recommendations for regarding a regime to be democratic.¹¹⁹

¹¹⁸ I only discuss the period 1972-1978 since Shugart & Mainwaring's classifications are based on Freedom House's surveys. Freedom House started their "Freedom" surveys for the years 1972-73.

¹¹⁹ Compare Freedom House (2001) and Shugart & Mainwaring (1997: 20-22). Freedom House suggest a 2.5 or better on combined average of both scales for a *free* (democratic) regime. Shugart & Mainwaring (1997) suggest an average of 3 or better on the *political rights scale*, and no years higher than 4 on both scales, to be considered democratic. For the presidential countries that were democratic from 1972-1994, this minor change affects the classification of 4 of the 6 presidential countries (Cyprus, Dominican Republic, Colombia and Venezuela, the two others being Costa Rica and USA), and would completely change the result of the table and also its conclusions. It also affects some parliamentary countries as Malta, Botswana (one year), and Mauritius, but none of the "Other" category. There are 23 democratic parliamentary countries in the sample. Therefore, the diverging classifications do not affect the overall results as much as for the presidential regimes. Shugart & Mainwaring (1997) have a questionable use of the Freedom House scale. I suspect that the authors might have relaxed the criteria for democracy in order to get enough cases to work with.

Another problem with Shugart & Mainwaring's (1997) work is that they operationally almost exclude the civil rights measure in the Freedom House study. A country can be considered democratic scoring as high as 4.0 points on the scale of civil liberties. Freedom House suggests that 2.5 points should be the upper limit to consider a country "free" (or democratic). Still, Shugart & Mainwaring (1997), theoretically, use a definition that *includes* protection of civil liberties and human rights. Hence, their operationalisation is not coherent with their theoretical definition.¹²⁰

Hartlyn (1998a) on the other hand, argues that the characteristics of neopatrimonialism hindered a full democracy in the second Balaguer period (1986-1996). Differing from most other scholars (see table 12 above), Hartlyn (1998a: 189-219) defines the 1986-1996 period as semidemocratic, or "hybrid". Shugart & Mainwaring (1997) argued that this period was democratic. Therefore, Hartlyn (1998a) only registers 8 democratic years in the period 1966-1994. The characteristics of neopatrimonialism are not included in his definition of democracy, and do to some degree take away the attention from his criteria of democracy. The fact that the Dominican Republic is neopatrimonial does not mean that the Dominican Republic is necessarily excluded from being a democracy. Neopatrimonialism is defined by strong presidentialism, clientelism, and the blurring of private and public interest (Bratton & van de Walle 1997: 63-68). Although strong presidentialism is vicious in a democracy, it does not necessarily counter any of the criteria in the definition of democracy.¹²¹

3.3.2 When does democracy start?

When does a regime become democratic? There is no simple answer. We can talk about a founding election (the first after a transition to democracy), the second election, or the first or second change of power. My position is that *a democracy starts when the first participative and contested elections are held, and the regime guarantees and secures the three other criteria for democracy*. I see no reason for waiting for a second election, or alternation in power to include a regime in the "club of democracies". Przeworski et.al. (2000: 23-28) classify a regime as democratic only after there has been an alternation in power. However, if a regime at point *t* in

¹²⁰ See Shugart & Mainwaring (1997: 14-22).

¹²¹ However, below, I show that presidential dominance is strongly correlated to the lack of horizontal accountability.

time had an election with alternation, they consider the regime as democratic from the first elections under the same constitutional rule, point *t-1*. This means legitimising a democratic regime in retrospect. Mainwaring et. al. (2001:11-13) argue that the Przeworski et. al.'s (2000) coding rules are either too inclusive or too exclusive. Some times this method will include regimes that clearly are not democracies as democracies (e.g. México since the revolution because of alternation in power with Vicente Fox in 2000), or exclude democracies (e.g. Japan, Przeworski et.al.'s dataset ends in 1990). The retrospective alternation rule is problematic in the Dominican Republic. I do not regard the Dominican Republic from 1966-1978 to be a full democracy.¹²² The regime's acceptance of alternation in power in 1978, does not give democratic legitimacy to the Balaguer administrations from 1966. Przeworski et.al.'s (2000) subminimal definition classifies the Dominican Republic to be continuously democratic from 1966. Their classificatory error can have two reasons: 1) The mere holding of elections in 1966, 1970 and 1974 qualifies for democracy; 2) The alternation of power in 1978 legitimises Balaguer's power for the twelve preceding years and classifies the regime as democratic. Reason 1 could be accepted, but holding elections does not necessarily fulfil their contestation criterion. Reason 2 gives priority to the retrospective alternation rule over their definitional criterion of contestation. The result is a discrepancy between their theoretical and operational definitions.

The Przeworski et. al.'s (2000) methodological problem is not that their approach is too inclusive or too exclusive. The problem is that it is wrong to legitimise political power in retrospect, and it is contrary to the democratic idea of holding elections. Democratic power is legitimate only because the people elected the power holders, and only from the point in time that they are elected. Democratic legitimacy is a forward looking concept. That power alternates at one point in time, does not legitimate the previous government's use of power. Power is legitimised by open, free or fair elections. In politics democratic legitimacy is limited in time. The point of departure is a free, open and fair election, and it is limited in time till the next election.

¹²² Przeworski et. al. (2000: 24) also discuss that the retrospective alternation rule might lead to a mislabelling of the Dominican Republic with respect to democracy.

3.4 Reliability problems

Reliability refers to how the study is carried out and the accuracy in the processes of the study (Hellevik 1997: 159). If different operationalisations of the same concept produce consistent results or if the same operationalisation of a concept gives consistent results on repeated trials, the operationalisations of a concept are reliable. (Bohrnstedt & Knoke 1994: 14, Carmines & Zeller 1979: 11). Shugart & Carey's (1992: 38-43) operationalisation of democracy has a reliability problem. Without even discussing theoretically "democracy" or "democratic stability", Shugart & Carey (1992: 41) jump to measuring democracy in the 20th century (sic!). They do not include a definition of democracy. They directly operationalise *democratic stability* as holding two democratic elections without a breakdown. We do not know if universal suffrage is a criterion for a *democratic* election, or whether restrictions on contestation are democratically acceptable. As a result, it is impossible to evaluate whether they are right or wrong in their categorisation of various regimes. This is a reliability problem, but could also be considered to be a validity problem. Not because the operationalisation does not correlate with the theoretical definition, but rather because we do not know if it does or not. It is therefore impossible for other researchers to repeat the measuring procedures and control the accuracy of the process and the results.

Shugart & Carey's (1992) measure of democracy does not guard against making the "electoralist fallacy".¹²³ Regarding democracy as something that happens once every election, they miss many of the main characteristics, democratic or not, of the regime. Democracy is quite the opposite, a continuous process, and should be considered as such. My definition captures this. Shugart & Carey's lack of definitions and their misclassification of the Dominican President's powers (discussed above, section 2.1) clearly weaken their theory of a "best" institutional design for democracy and democratic stability.

4.0 The Dominican Republic 1966-2002: What type of democracy?

In this section I analyse the degree of democracy in the Dominican Republic for the period 1966-2002. The diverse classifications of the Dominican Republic, presented above, indicate that a

¹²³ Linz & Stepan (1996: 4) call it the "electoralist fallacy", originally it is called "electoralism" (Karl 1986: 34).

thorough examination is required. In my discussion I focus on the disputed issues. What follows is an investigation of the values of the five criteria of democracy, each treated independently even though in real life they are not totally independent.

4.1 Political Contestation

The elections in 1966, 1970 and 1974 were not contested elections even though no major candidates were formally excluded from taking part in the elections.¹²⁴ Especially two factors constituted major violations of this democratic criterion: The systematic repression of the political left and the PRD and the army's constant intimidation of the opposition and participation with red banners in the electoral campaigns in favour of Balaguer and the PR.¹²⁵ These factors made it impossible for left of centre parties to compete in 1970 and 1974, and created a totally unfair electoral campaign in 1966. However, how to classify these elections is disputed (as table 11 in section 3.1 showed). Przeworski et. al. (2000), Colomer (2001) and Shugart & Carey (1992) all argue that the Dominican Republic was a democracy in the period 1966-1978. I.e. they all regard these elections as being contested elections.

The 1966 election was the first election after the USA/OAS invasion in 1965 and both the PRD and the PR took part in the elections.¹²⁶ Herman & Brodhead (1984) regard the 1966 election as a "demonstration election" defending the 1965 US invasion in retrospect. The US agenda was to demonstrate that their goal with the invasion was to install a new democracy, not to prevent Bosch from taking power. It is no secret that Balaguer was US's favoured candidate (Grimaldi 1985: 187). USA did not actively support Balaguer's candidacy, but ignored the Dominican military's repression of PRD supporters during the campaign.¹²⁷ The PR achieved a convincing

¹²⁴ With the exception of the communist parties, which were illegal until 1978.

¹²⁵ Red is the colour of the PR and later PRSC. Colours are extremely important for identifying parties in the Dominican Republic and the ballots are coloured in the parties' colours in order for the illiterates to easily identify their party when voting. Hence, the coloured banners worn by the army gave clear signals of their opinion.

¹²⁶ USA/OAS invaded the country to prevent Bosch (PRD) supporters from bringing the ousted PRD and Bosch back to power through a popular uprising. Some days after the invasion, the USA sought legitimacy through an OAS Inter American Peace Force, and got it. A crucial vote in the OAS came from the unconstitutional Dominican government under attack. The USA invaded the country four days into the uprising, or revolution, with 23.000 troops. The USA feared another Cuba. The result was the imposition of a provisional government that ruled the country until the 1966 general elections (see e.g. Hartlyn 1998a: 87-97, Moya Pons 2000: 534-536).

¹²⁷ The US loyal faction of the Dominican army had been strengthened through the invasion, while Bosch's supporters in the army were weakened or annihilated (Herman & Brodhead 1984: 36-37).

victory (see section 2) and since the victory was so overwhelming, the irregularities during the elections probably did not change the outcome significantly (Campillo Pérez 1982: 249-251).¹²⁸ Nonetheless, this does not affect the classification, which is based on absolute rules, not pragmatism, nor magnitudes or importance of fraud.

Was the campaign fair? The international observers regarded it to be fair (see Mitchell 1999: 305-306, Slater 1970: 171-174),¹²⁹ while the PRD and other leftist activists view these elections as fraudulent.¹³⁰ There can be no doubt that the electoral campaign in 1966 was unfair even though the PRD was allowed to compete. The PRD was not able to conduct an effective campaign because of massive arrests and widespread violence.¹³¹ In the countryside 350 political activists, mostly PRD, were killed (Moya Pons 2000: 536). And, the PRD's presidential candidate Juan Bosch was practically under siege during the whole electoral campaign.¹³² (Oviedo 2003, Moya Pons 2000: 536). These are all major violations to the criterion of political contestation.

In the 1970 and 1974 elections, the political violence and oppression continued and violated both the criteria of political contestation and protection of civil liberties and political rights (see sections 4.5 and 4.5.1). There was only a small right wing opposition in 1970,¹³³ but none at all in 1974. 186 political assassinations and 30 disappearances were reported in 1970, and this list is

¹²⁸ Herman & Brodhead (1984: 40-41) disagree and argue that there was a fraud, and that this changed the results in the PR's favour.

¹²⁹ Herman & Brodhead (1984: 42, 250) criticise some of these observers for being too pro-USA ("CIA conduits") and negatively inclined towards leftist candidates. Furthermore, since the invasion/occupation at least nominally was an OAS operation, the OAS observers cannot be considered to be objective observers, as the norm should be. Doubts can be raised regarding their impartiality.

¹³⁰ My interviews with Decamps (2003), Franco (2003), and Oviedo (2003) confirm this (see Bibliography for political affiliations). As a contrast, an aide to a PRSC presidential candidate argued that the 2002 local and congressional elections were the most fraudulent election in modern Dominican history (Cedeño 2003).

¹³¹ Howard Wiarda writes about García Godoy's interim government leading up to the 1966 election: "...thousands of PRD organizers, local leaders, and members were killed, jailed, and/or beaten. At the same time, the rural population generally was cowed into submission." (Cited from Herman & Brodhead 1984: 37). Moya Pons (2000: 536) regards the electoral campaign to be a terrorist campaign, and a prolongation of the civil war in -65. The campaign did not reach the level of violence experienced in El Salvador in the 1982 elections, but the numbers are still significant. In El Salvador 1982, there were 1500-2700 political murders (Herman & Brodhead 1984: 145).

¹³² Bosch feared for his life and mostly stayed in his home only able to campaign via his radio programme. His son was shot and a bodyguard killed (Herman & Brodhead 1984: 40, Moya Pons 2000: 536). Even former PR(SC) politician Sandino Grullón argues that the Balaguer victory was a US imposition. He writes: "*Whereas Balaguer campaigned the whole country under the protection of Yankee troops... [Bosch] threatened and afraid for his life, limited... himself to pronounce speeches on his radio programme 'Programa Tribuna Democrática'...*" (Grullón 1999: 105). My translation from Spanish.

¹³³ This was the Movimiento de Integración Antireeleccionista (MIDA) with vice president (1966-1970) and former PR member Lora as presidential candidate.

incomplete (Atkins 1987: 42). The link we find in the Dominican Republic between the democratic criteria political contestation and respect for civil liberties and political rights, supports the view that democracy is best understood as a bounded whole (Collier & Adcock 1999). If there are no protection of civil liberties and political rights, how can there be an effective political contestation in elections?

The PRD was never illegal, but abstained in 1970 and 1974 because of the systematic political violence against PRD supporters (Moya Pons 2000: 538, 541, and Hartlyn 1998a: 113).¹³⁴ In 1974, the PRD coalition participated in the electoral campaign, but withdrew from the elections only days before Election Day because of increasing levels of violence.¹³⁵ The PRD's participation in the campaign in 1974 made the unfair electoral conditions even clearer than in 1970. This is the probable reason for why Mainwaring et. al. (2001) and Freedom House both report a change in the regime in 1974, from semi-democracy to non-democratic and from democracy to semi-democracy, respectively (see table 11). Mainwaring et. al. (2001) might have considered the level of political contestation in the 1966 and 1970 elections to be satisfactory and that it was the PRD's ideology that caused its electoral abstention in 1970.

The 1978 election was problematic, but it was the counting of the votes and accepting the opposition to take power that created the problems. Although the level of violence was high, it was lesser than earlier and there were several other democratic improvements compared to the three previous elections. The PRD competed in the election and won the presidency. In 1977, the PR administration allowed the participation of one communist political party, the PCD (Partido Comunista Dominicano) (Law 692/77).¹³⁶ The PRD was allowed to divulge their opinions freely on their radio programme, a right that had been denied them in 1974 (Boletín de la CdC 1975. 64: 6635-6641).¹³⁷ The army, however, still wanted Balaguer as their president, and campaigned, as

¹³⁴ In 1970, there were also ideological reasons for PRD's abstention. In exile, Bosch took up the ideology "dictatorship with popular support". Bosch argued that creating a social democracy with democratic means was not feasible in Latin America. Because of internal disputes with Peña over Bosch's ideology, Bosch left the PRD and created the PLD in 1972. See Jiménez Polanco (1999: 349-350).

¹³⁵ The coalition was called "Acuerdo de Santiago", and was a political and electoral coalition of five political parties, headed by the PRD, and with the moderate Antonio Guzmán (PRD) as presidential candidate.

¹³⁶ One interviewee argued that this was a reward for the PCD's support for Balaguer's land reforms in the early seventies (Oviedo 2003). See also Moya Pons (2000: 542).

¹³⁷ Other radio programmes were closed by the army in 1978 for, allegedly, "*demonstrating partiality in favour of the opposition*" (Guerrero 1999: 85-86, citation from 86). My translation from Spanish.

in 1970 and 1974, with the red banners. Army officials worked as analysts for the party, collected “evidence” of a supposed PRD organised electoral fraud, and made the case for the “Fallo Histórico” (see below).¹³⁸ During the ballot counting in 1978, the army besieged the JCE, shut down all media transmissions, and stopped the counting. Only international pressure and strong and broad societal and political protests stopped what seemed to be an attempted military coup (Hartlyn 1998a: 123-124, Atkins 1987: 160-161). Before it was stopped, the counting showed PRD’s candidate Guzmán well ahead of Balaguer. The outcome was clear. The army and the PR supporters were not ready to accept this at first sight, and a deal had to be made to avoid chaos and a possible military takeover. The “evidence” of the PRD fraud the army had gathered, was used in a legal hassle. Allegedly thousands of PR voters had been denied their right to vote, although objective observers did not observe this (Hartlyn 1998a: 317). Finally, in July, the JCE ruled in what is called the “Fallo Histórico”. The PR was given majority in four additional provinces, i.e. they were handed four more senators and the majority of the Senate, and an extra representative in the Lower Chamber.¹³⁹ This arbitrary ruling from the JCE secured a PR majority in the Senate and is my main reason for qualifying the elections as a semi-contested election, violating partially the democratic criterion of political contestation. The JCE ruling constitutes a limited fraud that changed the electoral results for the congressional election.

The following elections all went rather smoothly compared to the 1978 crisis and the former non-competitive elections. There was however, an increasing tension, allegations of fraud, and conflict from 1986-1994 (Hartlyn 1994, 1998a). Lack of evidence of any fraud, leads us to conclude that only the 1994 election violated any democratic principle. In 1986, some problems occurred, but this was more due to the PRD’s apparent loss in the presidential election, and the

¹³⁸ For the army’s involvement in favour of Balaguer, see Guerrero (1999: 79-100).

¹³⁹ The history is complex. PR lawyer Marino Vinicio “Vincho” Castillo, the later founder of the nationalist Fuerza Nacional Progresista (FNP), also alleged that the PRD had registered hundreds of thousands of Haitian voters, an allegation repeated in 1994, and was helped by Venezuelan computer experts. The “Fallo Histórico” resembled more a political deal than a judicial ruling (Hartlyn 1998a: 126-128). A FNP politician (Castillo 2002), son of “Vincho”, confirmed that there had been pacting between the PRD and the PR. In fact, the deal had been between a faction of the PRD, the Guzmán-Majluta (president and vice-president 78-82) against the Blanco faction (senator 78-82, president 82-86). Guzmán and Blanco had fought for the presidential nomination in 1977, Guzmán won, but in the internal dealings, the PRD gave the Blanco faction control over the congressional nominees. Castillo said that Guzmán pacting with Balaguer to avoid Blanco’s control of the senate, apparently because of personal animosity (see also Sánchez (Unpublished manuscript): 11-14).

fraud syndrome, than any real fraud.¹⁴⁰ The 1990 campaign was fair, although Balaguer's use of state resources for electoral purposes was immense and contributed to inflation, and economic crisis (Díaz S. 1996: 70, Moya Pons 2000: 574-579, 588). The PLD lost by a narrow margin, actually winning more votes than the PRSC. The PRSC resulted victorious because its allies won the PRSC about 30.000 votes. The PLD alleged the fraud consisted of the buying of "carnets electorales",¹⁴¹ and the manipulation of the vote count in the JCE computers.¹⁴² During the post-electoral crisis aggravated by the bad economy, the country revived moments of a more authoritarian rule. Protest strikes in May 1990 led Balaguer to launch the army onto the streets, and during strikes and protests in August-September, 5,400 were arrested and 35 were killed.

In 1994, the problems returned and polarisation between the candidates was high,¹⁴³ fomented by the clear possibility of the dark-skinned Peña Gómez (PRD) becoming president. The campaign was negative and racist (Hartlyn 1994, Sagás 2000), and some even raised questions of a possible loss of sovereignty and merger with Haiti if Peña got elected.¹⁴⁴ Violence increased in front of the election, and reached levels not seen since 1978. There were, as always, allegations of fraud, but this time the PRD could substantiate them. Furthermore, the international observers also observed and reported many problems with the electoral process (OEA 1997). Díaz S. (1996) has shown that the fraud in 1994 in part was planned by the PRSC and in part can be explained by the administrative incompetence of the JCE (PRSC controlled). Furthermore, the PRSC administration and PRSC members of the JCE, worked against the plans of improving deficiencies in the organisation of the 1994 election. The biggest problem was that the process of issuing new identity cards resulted in a disaster. In addition to this, it was proven that the JCE in

¹⁴⁰ The fraud syndrome is the syndrome that all parties allege fraud during the campaign, and the loser(s) claims fraud after the election (Hartlyn 1998a: 247).

¹⁴¹ Electoral identity cards. These are needed to vote. In 1990, the electoral identity cards were not the same as the regular identity card. Because of the accusations of the buying and selling of these cards, it was decided to improve their quality and go for a united identity and electoral identity card for the 1994 elections. This was to prevent the practice of buying cards from poor voters who rationally calculated that the price they could get from selling their vote was higher than a possible prize of getting "their" candidate elected.

¹⁴² There were also other numerous accusations, see Hartlyn (1998a: 239-240), but these two seem to be the ones with most veracity.

¹⁴³ The polarisation was not ideological. The PRD presented Alvarez Bogaert as vice presidential candidate. Alvarez Bogaert, a long time PRSC member, left the PRSC in January 1994 when Balaguer sought reelection. Peña invited both Majluta (PRI) and Alvarez Bogaert for discussions on electoral alliances. Majluta was wanted as an ally by all the three major parties, the PRD, the PRSC and the PLD! (El Siglo, January 1994)

¹⁴⁴ Peña had Haitian ancestors. The PLD entered a nationalist-racist pact with FNP, and they focused on Peña's skin colour, his Haitian descent, and alleged violent history and temper. P. Castillo (FNP) was proud of the FNP's "informative" campaign and believed that partly because of their campaign Peña did not get elected (Castillo 2002).

the last days before the election had changed the electoral register that formerly had been sent to the political parties for verification. The effect was that many voters, mainly PRD voters,¹⁴⁵ who appeared in the electoral register sent to the parties, which the parties had accepted as more or less correct, did not appear in the voting centres' registers.¹⁴⁶ Many voters had also been moved between the lists sent to the voting stations. The result was that when the voters came to their local voting station, they did not appear in that voting station's electoral register, but would be registered in electoral registers in other parts of the country. Díaz S. (1996) also proved that the fraud was directed against the PRD and that the extent of the fraud was sufficient to deprive them of a presidential victory. The outcome of the electoral fraud was the "Pact for democracy" ("Pacto por la democracia") between the major parties, and constitutional reforms (see section 2.2 above). The 1994 election was at best a semi-competitive election, violating partially the democratic criterion of political contestation.

The following presidential, congressional and local elections have been the less troublesome since 1982. In all the electoral processes (1996, 1998, 2000, 2002) there have been some accusations of fraud and some incidents of violence (Sagás 1997, 1999, 2001, 2003). The violence has been the result of quarrels between activists, not government repression. The results have been accepted quickly by the losing candidates, even though accusations of the use of state resources were prominent in 1996 (Hartlyn 1998a: 258-273, Sagás 2001). The electoral processes are regarded as advances in the consolidation of the democratic institutions.¹⁴⁷ Although in 2002 there were minor incidents of possible fraud in Santiago,¹⁴⁸ and a few incidents of violence initiated by state officials and the military, I consider these elections to satisfy the contestation criterion.¹⁴⁹

¹⁴⁵ I lived in the country at the time, and remember that many members of a family, widely known to be a "PRD family", could not vote in Villa Gonzalez, the family's home village just north of Santiago. They did not appear in the electoral lists in their voting centre, even though they had the new voting card and were assigned to vote at that exact centre. PRD said that 200,000 PRD sympathisers had been disenfranchised (Sagás 1997: 103)

¹⁴⁶ Some of these voters were finally allowed to vote, so called observed votes ("Votos observados"). The result of the counting of these votes showed that 82.2% were PRD votes (Díaz S. 1996: 165).

¹⁴⁷ My assessments of these elections, are based on: Hartlyn (1998a), OEA (1997, 1998, 2000), and Sagás (1997, 1999, 2001, 2003). My judgement of the 2002 election is also based on newspapers reports from May 2002.

¹⁴⁸ This refers to the senatorial election where the PLD candidate claimed that the PRD candidate had "won" because of errors and fraud during the counting of the votes. (Listín Diario 29/05-2002, El Caribe 24/05-2002, Sagás 2003). There were also complaints about the voting process in the PRD primaries (Rodríguez 2003).

¹⁴⁹ Zapete (2002: 204-205) reports of buying of votes in the 2002 election, use of the state TV-channel for promotion of the government party, the murder of an oppositional political candidate (and her husband) in Jarabacoa, attacks on

I disagree strongly with Shugart & Carey's (1992) and the Przeworski et. al.'s (2000) classifications of the Dominican political regime. Even though legally the PRD was allowed to compete in all elections since 1966, the general political violence, the military's participation in favour of Balaguer in the campaigns and the lack of free speech until 1978 impeded a fair contestation.

4.2 Political participation

In 1942, the franchise was opened for the female population. The franchise in the Dominican Republic has since 1942 been open to the adult population in general. Only the police and the army do not have the right to vote. During the Trujillo era there was no reason for preventing the people from voting as long as there was no real opposition.¹⁵⁰ The first Balaguer administrations did not prevent the population attending on Election Day. The openness with respect to participation was part of the charade of democracy that was created. There are only two elections, 1978 and 1994, that breached the participation principle, both when contestation was partially accepted. Both elections were semi-participative. The disrespect for the electorates' votes in 1978, manifested by the "Fallo Histórico", violates partially the participation criterion. The dislocation of voters in 1994 had the same effect.¹⁵¹ The PRSC dealings with the PLD in the aftermath of the 1994 election made the PRD lose one Senator and three representatives to the Lower Chamber (Díaz S. 1996: 175-189, Hartlyn 1998a: 253). Even in the 1970 and 1974 elections, the votes were counted fairly, although as mentioned above, participation without contestation is meaningless in a democratic perspective. Denying counting the electorate's votes in 1978 and 1994 clearly violated the electorate's right to freely elect their candidates for office. The elections are, however, semi-participative since the violations were limited.

a mayor candidate (and his chauffeur and child), a shooting at the residence of another mayor candidate, and a colonel stealing 12 ballot boxes. Zapete disagrees with the PC and OAS observers who regarded the 2002 elections as flawless.

¹⁵⁰ This supports seeing at least participation as a bounded whole with contestation. If participation is to be rendered meaningful as an attribute of democracy, the contestation must be real.

¹⁵¹ Díaz S. (1996: 175) assesses the dislocation of voters to be in the number of 150,000 votes in 1994.

4.3 Effective powers to elected rulers

Here the sources are few, mainly Atkins (1987). One reason why many scholars classified the Dominican regime as democratic is that it has been continuously civil.

The civilian control was maintained by buying support and acquiescence in the military. This was carried through by corruption, bribes, using divide and conquer strategies to deprofessionalise the military, shifting top officers around, and making the army top heavy.¹⁵² When Balaguer won power in 1966, the army was the strongest institution in the country, and it would not yield power without any rewards. There are few indications that the army actually interfered with politics as long as they were kept happy by the civilian governments, but there are indications that the army, supported by the government, until 1974 violated basic human rights of PRD supporters and communists.

The civil-military relations were never properly institutionalised from 1966-1978, and there were vague frontiers between civil and military authority.¹⁵³ Atkins (1987: 39, 60) argues that apart from the president the army was the strongest political power in the country. Atkins (1987: 101) divides the period 1966-1978 into two periods. The first (1966-ca. 1974) is characterised by the slowly increasing control by the president over persons and factions in the military, and the second (1975-1978) by the definitive control over them. Balaguer had to bribe army officials, hand them contracts, and tolerate smuggling to subordinate the military. These are indications of a lack of total control over the armed forces. Moreover, the aborted coup attempt in 1971 that almost succeeded is another indication that the civil government, and especially the president, did not totally control the armed forces.¹⁵⁴

Two incidents in 1978 indicated that the military had lost power vis-à-vis the civilian administration. Firstly, the military had to abort its coup d'état in support of Balaguer after the 1978 presidential election.¹⁵⁵ Secondly, after Guzmán's presidential inauguration the army

¹⁵² In 1978 there were 1 general for every 600 soldier in the army, and there were 43 in total, while in 1966 there were 6 (Atkins 1987: 80).

¹⁵³ The army remained subordinated to the president personally. The Constitution gave and gives the president total control of the armed forces (Constitución art. 55: 14, 17, 18, 19).

¹⁵⁴ In 1978, Balaguer said that this coup attempt had been the only real crisis during his reign (Atkins 1987: 110).

¹⁵⁵ There is a clear difference between this coup attempt and that of 1971. In 1978, the coup attempt was to support Balaguer and directed towards a possible change of government, while in 1971 it was directed against Balaguer.

generals met with Guzmán and presented him various conditions for military subordination. Guzmán rejected them all, taking advantage of societal support and international presence (Guerrero 1999: 256-257). After the meeting, Guzmán removed many of these generals (Hartlyn 1998a: 127).¹⁵⁶ This indicates that the civil government ultimately had control over the army, even in the chaotic days of the electoral crisis in 1978. One of Guzmán's main democratic achievements was the total subordination of the armed forces to the civilian elected governments, a process started under Balaguer, but consolidated with the shift of government in 1978. After 1978, the military forces have been constantly under civilian control.

4.4 Horizontal accountability

There are two aspects of horizontal accountability, *answerability* and *enforcement* of potential sanctions (Schedler 1999). Section 4.4.1 studies the institutional potential for these aspects in the Dominican Republic. Section 4.4.2 presents and discusses indicators of horizontal accountability applicable in Large-N studies.

Horizontal accountability is a theme partly neglected in studies on the Dominican Republic, and is therefore thoroughly studied here. The reason for neglecting the horizontal accountability is the centrality of the president in the Dominican Republic. As a result, the studies have been concentrated on the powers of the presidency. Horizontal accountability is a bordering theme to presidential dominance, and studies like Hartlyn (1998a) and F.D. Espinal (2001) touch it. The difference between presidential dominance and horizontal accountability is that the latter contains an interplay between more than one institution, namely the government and congress, the courts and the comptroller general. A vivid civil society and a free press help pressure for a democratic and a horizontal control of the government. I show that both institutionally and de facto there have been few changes with respect to this democratic criterion.

¹⁵⁶ The last act of successful use of undemocratic military power was also in 1978. The army kidnapped the vice presidential candidate, Alvarez Bogaert, and made Balaguer change back to Goico Morales, the vice-president since 1970. Even though the army succeeded in changing the vice presidential candidate, the two other attempts of preventing democracy did not succeed (the 1978 aborted coup and the attempt to control Guzmán).

4.4.1 Institutional potential for horizontal accountability

Congress passes laws, monitors government behaviour, organises hearings, and ultimately accuses and judge in impeachment procedures. In impeachment procedures, a $\frac{3}{4}$ vote of the totality of the representatives in each chamber is needed to dismiss the President or the Secretaries of state (Constitución arts. 23, 26). The threshold for dismissing a president is high, and it should be because there is a huge difference between the impeachment as a political instrument and the vote of no confidence in a parliamentary system. Since 1966, no president or secretary has been impeached. After ending his term, Jorge Blanco (PRD), president 1982-1986, was legally accused of corruption. He was sentenced, but he served his sentence in liberty while awaiting the treatment of his appeal.¹⁵⁷ The Lower Chamber representatives I interviewed all expressed their concern for the congressional role as a controlling power. They argued that they lacked personnel, resources and facilities to perform the functions a congress ought to perform in a democracy. There is no doubt that this is true. The representatives in the Lower Chamber do not have offices in the Congress (now under construction), and normally work out of their own personal offices.

The Supreme Court (SCJ), and the judicial system, is also an institution that provides for horizontal accountability. Judicial review, and bringing government officials, bureaucrats etc. before the courts are parts of the horizontal accountability. Before the 1994 constitutional reform, the SCJ was a political court appointed by the Senate. Because of the concurrent elections, the majoritarian tendencies and the “arrastre”, the governing party dominated the Senate. The only exception is the 1978-1982 period. After 1994, the situation has been different. There has been a shifting majority between the government and the opposition, and more importantly, the SCJ is no longer politicised. It is now an autonomous and independent actor, i.e. a veto player in the political system.¹⁵⁸ The SCJ also elects all other judges to the courts in the country. A depoliticisation of the SCJ consequently leads to a depoliticisation of the whole judicial system. The judicial reform is regarded as the most important democratic reform of 1994, although further reforms such as greater autonomy in budgetary matters are needed (Miranda 2003).

¹⁵⁷ In May 2001, Jorge Blanco was pardoned by president Mejía (PRD). All presidents have been accused of being corrupt by the opposition and the media, and most likely all accusations have, to some degree, been true.

¹⁵⁸ See Tsebelis (1995) for an elaboration of the veto player concept.

An Auditor General, Cámara de Cuentas (CdC, Chamber of accounts) in the Dominican Republic, controls the government's spending and collection of taxes. An important task is to examine the government's management of general and particular accounts, investigate whether the budget is executed as passed in Congress, i.e. according to the law, and report this annually to the Congress (Constitución art 78, 79, 80). Congress votes on the basis of this report, to accept or reject the government's execution of the budget. Furthermore, the CdC counsels the government, and investigates corruption or abuse of public funds etc. The Senate elects the CdC for four years on presidential proposals. Institutionally, the CdC is autonomous and independent and provides for an external control of the internal accounting made by the Contraloría General de la República, an institution under presidential dependency (Mieses 1999: 202). The Contraloría must report monthly the government's execution of the accounts to the CdC. This constitutes a part of the answerability aspect of horizontal accountability. For the CdC to function properly, the "Contraloría's" internal revisions must reach the CdC. These monthly reports however, do not reach the CdC (De la Cruz Alvarado 1999: 64, Arias Fabián 2003, and CdC Informes).

The CdC must also have free access to information from the government, sufficient human, economic and material resources (De la Cruz Alvarado 1999: 62-63). But, there is also a total lack of information from the government to the CdC.¹⁵⁹ E.g. in 1981, there were many incidents of violations of the government's duty to provide information. The CdC reports of refusals of sending internal revisions to the CdC, many obstacles to the CdC's "surprise controls" in government institutions, a total lack of internal control in the departments, districts, etc. There was even a presidential disposition to deny the CdC to account the secretaries, an apparent breach of the supposed free access to information that the CdC should receive. In 1981, the CdC was denied accounting control of five directorates, two secretaries,¹⁶⁰ and the Liga Municipal

¹⁵⁹ I read the *Informes de la Cámara de Cuentas al Congreso Nacional* for the years 1970, 1974, 1977, 1981, 1984, 1986, 1994, 1997, 1998, and 2000. These were the ones I could find. All reports from 1981 mention the lack of internal accounting and control, and the lack of accounting reports reaching the CdC. An interesting fact that shows the low interest for controlling the government is that of all public documents I searched for during my research trip, the CdC's Informes were the only ones the public libraries did not have any copies of. I found the above-mentioned years in the "library-archive" of the CdC, but these were the only ones left.

¹⁶⁰ An interesting note regarding the Secretary of Agriculture is that the then Secretary is now President Mejía (2000-2004). The CdC reported irregularities and possible illegal activities, but that the Secretary Mejía never tried to stop the accounting control. This control was stopped by a presidential disposition in July 1981.

Dominicana (LMD) (CdC Informe 1981).¹⁶¹ The lack of information has later been so problematic that the CdC under Arias Fabián’s direction (1998-2002) had to rely on public rumours of corruption when deciding where to perform unannounced controls in the secretaries or local governments. To gather information, the CdC had to establish a group that scanned the newspapers and made weekly handouts (CdC Síntesis Informativa) of newspaper clippings (Arias Fabián 2003)!

Another problem is the lack of resources. All the “Informes Anuales” I studied, reported a lack of economic, human and material resources.¹⁶² From 1967 till 1978 the mean amount of total governmental expenses assigned to the CdC was 0.016%, and from 1979 till 2001 it was 0.043%. The increase in financing of the CdC has not had any effect on its efficiency.

Table 13: Share of government spending on controlling institutions

Administrations:	Institutions’ annual mean share of budget expenses:		
	Congress	Supreme Court	CdC
PR (Balaguer) 67-78	0.25%	0.033%	0.016%
PRD 79-86	0.44%	0.031%	0.061%
PRSC (Balaguer) 87-96	0.33%	0.14%	0.025%
PLD, PRD 97-02	1.08%	1.40%	0.052%

Notes: Institutions’ annual mean share of total budget expenses based on the execution of the national budgets (ONAPRES 1967-2001). First year is 1967.

Table 13 demonstrates a clear difference between the Balaguer administrations (1967-1978, 1986-1996) and other administrations with respect to the financial backing of the Supreme Court, the Congress and the CdC. There was a considerably lower funding of these institutions, especially the Congress and the CdC, during the Balaguer administrations, than the other administrations. The Balaguer administrations 1967-1978 were less interested in these institutions than Balaguer 1986-1996. This supports Hartlyn’s (1998a) position that Balaguer in his second period to a larger degree respected the other state institutions. We also see that the changes have been more abrupt after the departure of Balaguer in 1996, than after his departure in 1978. This also supports the findings of Espinal (1994a) and Hartlyn (1998a) that the PRD administrations 78-86 were not able to make a considerable shift in the regime. Although I do not have

¹⁶¹ The LMD is the administrative link between the municipalities (Municipios) and the central government. All transfers of money and resources from the central government to the municipalities go through this institution. The Secretary General is elected by representatives (“regidores”) from the locally elected municipalities. It is an important institution because vast amount of economic resources flow through the institution. According to the law 17/97, 4% of the total of budget spending should automatically go to the LMD. The LMD also gives contracts to firms of public works in the municipalities. The leadership of the LMD is therefore politically important, and has often been used as bait in coalition agreements between political parties (see chapter 5).

¹⁶² See also De la Cruz Alvarado (1999: 65-69).

comparative figures from other countries, there is no doubt that these institutions have not been satisfactorily funded, thereby making it difficult for the institutions to work properly. My visit to the CdC in 2003 and my interview with Arias Fabián (2003) indicated that the increases in the CdC funding have not been sufficient to improve CdC's ability to perform the functions outlined by the Constitution.

Furthermore, when we consider the sanctioning powers, the other aspect of horizontal accountability, we understand that the CdC is impotent. The CdC cannot send cases of fraud, corruption, irregularities, or illegalities directly to the courts. This was possible until 1928/29.¹⁶³ Now, all irregularities must first be reported to the president or the secretary of finance. The president or the secretary of finance decides whether or not to proceed with the case by sending it to the attorney general (Arias Fabián 2003).¹⁶⁴ In other words, the president decides whether or not to proceed with a case of corruption within his own government! If the case should come as far as the Attorney General, we must remember that he is appointed by the president, and that before the 1994 judicial reforms, the judiciary system was also under government control. Independence is thereby lost, and so is the potential of negative sanctions. I.e., the CdC is not only *de facto* powerless because of lack of resources and information, but also *de jure* powerless in terms of holding a government accountable.

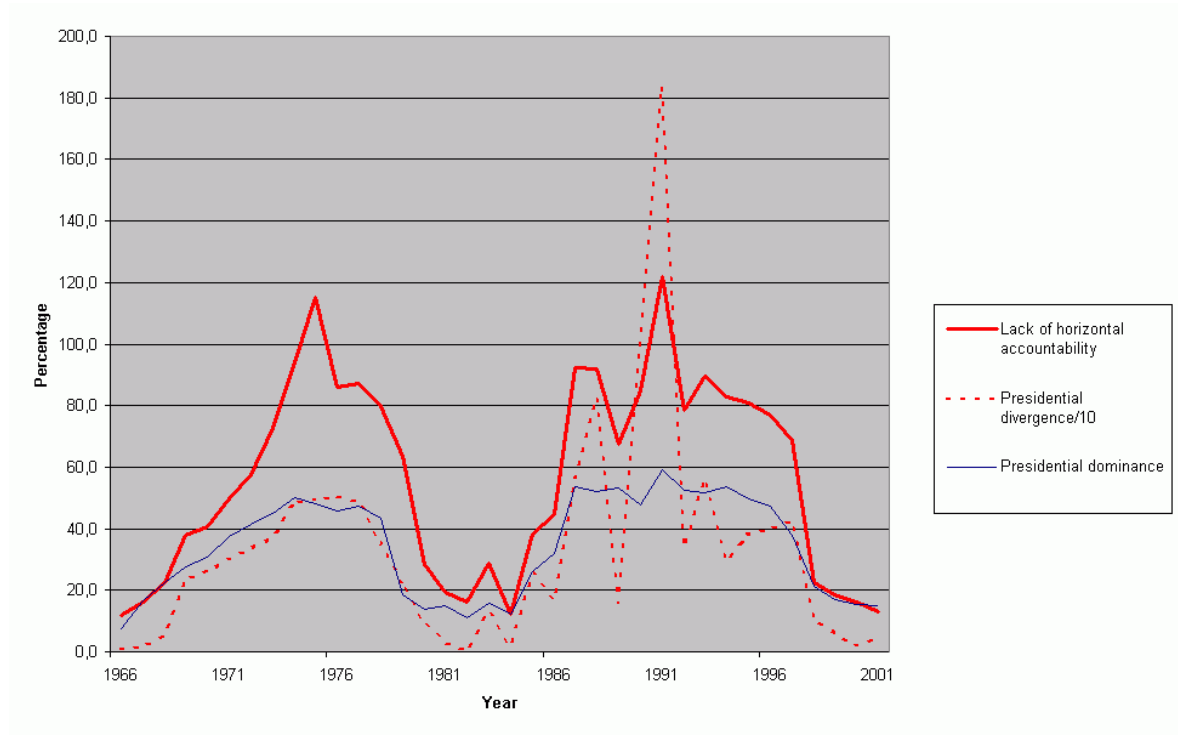
4.4.2 Indicators of Horizontal accountability

The figure below (next page) demonstrates the lack of horizontal accountability in the Dominican Republic.

¹⁶³ De la Cruz Alvarado (1999: 60) reports that the new law in 1928 made it up to the respective secretary to decide whether to proceed with the case. I.e. the secretary where a possible illegality has been committed should himself decide to proceed to the courts with the matter!

¹⁶⁴ Arias Fabián (2003) told me of a case where the Attorney General asked for some CdC reports in a possible case of corruption to proceed with legal investigations. The CdC could not hand him these reports because the Secretary of Finance or the President would have to see them and evaluate whether the case should be investigated legally.

Figure 2: Lack of Horizontal Accountability



Notes: **Lack horizontal accountability** (Share of absolute divergences) is the share of the sum of the absolute divergences from budgeted expense posts in each secretary of the total congressionally approved expenses in the budget. **Presidential divergence** is the president's share of absolute divergence from his congressionally approved expense post. The Presidential divergence is divided by 10 to improve the clarity in the figure. Multiply by 10 to get the real figures. **Presidential dominance** is the president's share of total expenses in the budget. Presidential dominance is based on executed budget, and not the budget as approved by congress. Sources: National budgets 1966-2001, ONAPRES.

My measure of the (lack of) horizontal accountability shows that the administrations in an increasingly fashion until 1978 disrespected the budgets approved by Congress. We also note that the lack of horizontal accountability again increases during the second Balaguer period, although the increase started already in 1985 during the Jorge Blanco administration. The extreme level in the first Balaguer period came in 1975. In 1975, the sum of divergences in each secretary reached 115% of the value of the total expenses in the approved budget. In 1975, the national budget foresaw the total expenses to be 417 millions Dominican Pesos (DOP), whereas the absolute sum of divergences in the secretaries was 480 millions DOP. This means that the government spent 480 millions DOP in a way not approved in the congress. The other extreme comes in 1991 when the total divergences reached a record 121.9%!

The “Presidential divergence/10” graph follows closely the graph showing the lack of horizontal accountability. This is partly because the presidential divergence is part of the measure of the lack of horizontal accountability, and also due to the fact that the presidential divergence each year represents the highest divergence of all the secretaries. Therefore, there is no doubt that the presidents are responsible for the lack of horizontal accountability.

The “Presidential dominance” graph supports Hartlyn’s (1998a) claim of a lower tendency of neopatrimonialism during the PRD administrations 1978-1986 than during “los doce años” (1966-1978), and also a return to a stronger presidential dominance during the second Balaguer period, 1986-1996. The shape of this graph is also quite similar to the “Lack of horizontal accountability” graph, which means that presidential dominance to some degree can explain the lack of horizontal accountability.¹⁶⁵ This supports Linz’s (1990, 1994) dictum that it is difficult to provide accountability in presidential regimes. My figure indicates that the higher the presidential dominance, the lower the horizontal accountability. Further research with comparable indicators in both parliamentary and presidential regimes, could give us the answer to whether horizontal accountability is better in parliamentary regimes. I hope here to have provided an idea of how to numerically measure the degree of horizontal accountability that is applicable for large-N studies. This has been missing in the literature.

Figure 2 shows that the periods 1966-1969, 1980-1985, and 1998-2002 had a “Lack of Horizontal accountability” between 10% and 40% and thereby *partially violated the criterion for horizontal accountability*.¹⁶⁶ All the other years show a “Lack of horizontal accountability” higher than 40%, and are *major violations of the criterion for horizontal accountability* (see also section 4.6).

Table 14 (below) displays the “Lack of horizontal accountability”, the “Means of presidential divergences” and the “Presidential dominance” for each administration from 1966. The table shows that the three indicators increase throughout the first Balaguer period (1966-1978). The increase of the “Presidential dominance” coincides with increasing control over the military forces. This not only supports Atkins’s (1987) work, but also strengthens the validity of

¹⁶⁵ Chapter 5 shows that the “Presidential dominance” and the “Lack of horizontal accountability” correlate with both “Potential Deadlocks” and “Actual Deadlocks”.

¹⁶⁶ For the exact figures of the Lack of horizontal accountability each year, consult appendix III.

presidential share of budget as a measure for presidential dominance. The table shows that the PRD and the PLD Presidents not only respected the national budget to a larger degree than Balaguer did, but also that they gave more power to the other secretaries as compared to the presidency. However, the institutional analysis, outlined above, indicated that there were few institutional changes with respect to the horizontal accountability throughout the period. The behaviour of the presidents improved during the PRD and the PLD administrations, but the return of Balaguer in 1986 showed that without any significant institutional and procedural changes, the system is prone to be exploited again.

Table 14: Means of divergences and presidential dominance per administration

Administrations:	Annual mean lack of horizontal accountability:	Annual mean of presidential divergence:	Annual mean of presidential dominance:
Balaguer 1967-1970	29.2%	140.2%	24.3%
Balaguer 1971-1974	68.4%	374.1%	43.6%
Balaguer 1975-1978	92%	458.7%	46.2%
Guzmán 1979-1982	31.9%	85.9%	14.5%
Jorge Blanco 1983-1986	30.9%	142.4%	21.4%
Balaguer 1987-1990	84.2%	634.3%	51.6%
Balaguer 1991-1994	93.2%	757.3%	54.3%
Balaguer 1995-1996	78.9%	390.1%	48.4%
Fernández 1997-2000	31.5%	153.4%	22.9%
Mejía 2001-	13.1%	42.7%	15%
Annual total mean 1967-2001:	57.5%	336.2%	35.1%

Notes: The years refer to budgets, not electoral periods. Sources: National budgets 1967-2001, ONAPRES.

4.5 Protection of civil liberties and political rights

Freedom of speech and the press are important civil liberties and a political rights, but also important tools to prevent violations of the same rights. Trujillo (1930-1961) exercised total control over the press, but President Balaguer 1966-1978 met opposition in the daily press. The press was not totally free, but it was allowed to criticise the government. There were, however, some limits to the freedom of association, especially radical leftist groups were denied their freedom of speech, and had to operate clandestinely (Franco 2003, Oviedo 2003, Dore Cabral 2003). Even the more moderate PRD faced these limits. The radio programme “Tribuna Democrática” was shut down in June 1974, and its host, and PRD General Secretary, Peña Gómez, was denied the right to speak on or host radio or television programmes indefinitely (Boletín de la CdC 1975 64: 6635-6641). The radio programme, however, was opened again some time before the election in 1978, and Peña freely divulged his opinions, allowing for a fairer electoral campaign.

After the 1978 PRD electoral victory, the freedom of speech and of the press, have been respected, with only relatively minor exceptions. Even the leftist groups have been able to operate freely. The press has, however, been criticised for applying a self imposed censorship in the editor rooms, a high concentration of ownership of the media and too strong ties between finance, banks, and the press (Gutiérrez 2001: 165).¹⁶⁷ There are also clear indications of worsening conditions for the press during the actual PRD government (2000-2004). Several journalists have been arrested and subjected to questioning by the security police after criticising the President. The only purpose is to intimidate the press from criticising the administration. The government takes advantage of the freedom of speech law (Law 6132/62), which makes it a crime to offend the President. President Mejía has also several times “threatened” the press verbally, although this, the people say, is part of Mejía’s “popular” style.¹⁶⁸

The political repression that began before the 1966 election, continued as a general repression of the opposition, including all parties from the PRD and “leftwards” politically. My interviewees representing leftist organisation at the time argue that between 1972-1974 things changed for the better.¹⁶⁹ The repression and murders declined in the early seventies and got more “clinical” in terms of only attacking people left of the PRD. But, the wave of violence prior to the 1974 election, indicates that the regime did not change its character until 1975. The change of character

¹⁶⁷ A giant bank scandal emerged in 2003. Baninter (Banco Intercontinental) went bankrupt, losing values equivalent to 50% of the expenses in the national budget (or 25% of GNP) (Díaz S. in Hoy 14/06-2003). This bank owned a media corporation including various daily newspapers and television channels. The company was later taken over by the State. This is a good example of negative effects of finance owning the media. It was the Central Bank that discovered the scandal, not the media. See also chapter 6.

¹⁶⁸ Three famous cases are Julio Martínez Pozo who in a radio programme “El gobierno de la mañana” accused a government official close to the president of having imported a bullet proof SUV without paying import taxes. President Mejía phoned the programme, which is open for the public to express their opinions. Martínez Pozo had to explain himself to the police and was threatened by a lawsuit from the President’s judicial adviser (who apparently felt he was the target of the accusation). The second is Marino Zapete who accused the president of building a mansion in the mountains of Jarabacoa with the aid of public funds and public workers. He also had to explain himself to the secret police. Zapete, a journalist formerly writing in daily national newspapers (Hoy, Última Hora), alleged to me in a personal correspondence that he is no longer acceptable to the national newspapers after pressure from the government, see also Zapete (2002). Zapete has also claimed that he feels threatened by the government after this arrest (see his article “Me siento amenazado” <http://cafebambu.com/sarten.htm>, accessed 20/06-2003). A third case was the arrest of Horacio Emilio Lemoine and Carlos Martínez for organising a call-in poll in their radio programme on the question: “Who would you vote for in the next (2004) presidential election? The incumbent or the devil?” This was regarded as an offence to the president. Apparently, the devil won by 18 to 1 (Hoy 27/7-2003)! These are but three examples that can substantiate claims that the government is trying indirectly to intimidate journalists and also editors from publishing articles that criticise the government.

¹⁶⁹ Hartlyn (1998a: 111) dates the decline in political repression and murders to 1975.

coincides with some other important incidents, indicating a moderation of the regime. These years were the turning point for Balaguer in controlling the military and he also got control over the revolutionary left with the killing of Caamaño in 1973.¹⁷⁰ Controlling both the left and the military, there was no risk softening the repression and complying with the harder international pressure for easing the repression. The decrease in violence also coincided with the dismantlement of “La Banda Colorá”, a paramilitary group consisting of former leftists, professional killers and army personnel. The organisation was funded by the military intelligence (Moya Pons 2000: 538). Balaguer claimed they were uncontrollable, hence the name “los incontrolables”.¹⁷¹

4.5.1 Comparing “political murders” in the DR with authoritarian regimes

In Argentina during the military regime 1976-1982, 8,960 disappeared according to the Argentine National Commission on the disappeared.¹⁷² The comparative numbers for the military regimes in Uruguay and Brazil are 26 and 125, respectively (Stepan 1988: 70). These countries under military rule have all been classified as nondemocratic and as violating the human rights (e.g. Mainwaring et. al. 2001). During Balaguer’s first eight years, 1966-1974, the army and paramilitary groups supported by the government killed more than 3,000 people (Moya Pons 2000: 538-539). However, the numbers are not all in agreement. Black (1986: 48) reports 1,000 political murders between 1966 and 1971, and argues that between 1969 and 1971 political murders were more frequent than during the Trujillo regime.

If we compare Moya Pons’s (2000) figures with the Argentine National Commission on disappearances we get that in Argentina 32 people disappeared per 100,000 (Stepan 1988: 70), and that in the Dominican Republic the figure for “political murders” is 59.4 per 100.000. If we

¹⁷⁰ Caamaño was the military leader of the constitutionalists in 1965. He intended to establish a guerrilla fight against Balaguer, inspired by Che Guevara’s “foquismo” ideology. However, he found no support in the Dominican Republic.

¹⁷¹ Whether the government controlled them or not, is a disputed question. Nevertheless, the conclusion is that there was no respect for the civil and human rights during the period this group operated.

¹⁷² For this figure and a comparison of disappeared pr. capita, see Stepan (1988: 70). Sønneland (1998: 183) claims that the number is closer to 30,000. The differences between the numbers can, to wit, be the result of the date of publication or the definition of “disappeared”. The report on which Stepan (1988) bases his numbers is published in 1986. New data on disappeared might have become available after that date. Stepan (1988) defines disappeared, apparently, as disappeared or dead in custody or as a prisoner. Other people might have disappeared without going to prison or into custody.

disaggregate this to each year we get 5.3 per year per 100.000 people in Argentina, whereas in the Dominican Republic we get 7.4.¹⁷³ Even though there might be a difference in the definitions of “political murder”, “killed by the regime” or “disappeared while in prison or custody”, the numbers are comparable because we are talking of political murders effectuated by the regime. The murder rate was as high in the Dominican Republic as in Argentina during the military rule, and many times higher than in Brazil and Uruguay.¹⁷⁴ Mainwaring et. al. (2001: 49) regard Argentina (1976-1982), Brazil (1964-1984) and Uruguay (1973-1984) as authoritarian, probably because of major violations to civil liberties and human rights and lack of democratic elections.¹⁷⁵ If this is so, the Dominican Republic should, based on the facts above, also have been regarded as authoritarian from 1966-1974 in their classification.

A regime analysis including the principle of protection of civil and political rights, cannot define the Dominican Republic as fully democratic during the period 1966-1974. Even though violations of human rights were commonplace between 1975 and 1978, these were generally minor harassments, not deportations or disappearances/killings. I conclude that there was an improvement from major to partial violations of the criterion of civil liberties and political rights in 1975. And as of 1978, the political regime has respected this criterion.

4.6 Summary

My classification (table 15) shows that participation is the only democratic criterion that has been respected almost the whole period. I give the 1978-1982 and the 1994-1996 periods 0.5 point (1 is maximum) since apparent fraud and disrespect of the electorate’s votes partially violated the participation criterion in the 1978 and 1994 elections. It is possible to argue that these elections respected the participation criterion, claiming that the electoral fraud only constituted violations

¹⁷³ The population figures from the Dominican Republic are taken from the International Data Bank (<http://www.census.gov/cgi-bin/ipc/idbrank.pl>, accessed 20/05-2003). I calculated the “political murders” pr 100,000 on the basis of the 1975 population. 1966-1974 was before the southern cone military regimes appeared. Hence, choosing an earlier year for my calculations would have made the number even higher. I chose 1975 since that is the year used by Stepan (1988). The figures from Argentina are based on Stepan 1988. The comparative calculations based on Sønneland (1998: 183) and the 1975 population would be 107 disappeared pr. 100.000, and 17.8 pr. year pr. 100,000. With Black’s (1986: 48) numbers for the period 1966-1971, the figures are 19.8 per 100.000 and 3.3 per year per 100,000.

¹⁷⁴ Uruguay on the other hand, is considered to be the most systematically repressive of the southern cone military-authoritarian regimes with respect to arrests (Linz & Stepan 1996: 152).

¹⁷⁵ We can of course not be sure which democratic criterion (-a) the regimes violate, since this is not specified in their article.

Chapter 4: Classifying the Dominican Regime

Table 15: Regime Scores

Year	Contestation	Participation	Eff.Dem. Power	Horizontal Acc.	Civil liberties/ political rights	Sum:	Bounded Whole (product)	Partial Interaction
1966	0	1	0,5	0,5	0	2	0	0
1967	0	1	0,5	0,5	0	2	0	0
1968	0	1	0,5	0,5	0	2	0	0
1969	0	1	0,5	0,5	0	2	0	0
1970	0	1	0,5	0	0	1,5	0	0
1971	0	1	0,5	0	0	1,5	0	0
1972	0	1	0,5	0	0	1,5	0	0
1973	0	1	0,5	0	0	1,5	0	0
1974	0	1	0,5	0	0	1,5	0	0
1975	0	1	1	0	0,5	2,5	0	0
1976	0	1	1	0	0,5	2,5	0	0
1977	0	1	1	0	0,5	2,5	0	0
1978	0,5	0,5	1	0	1	3	0	0
1979	0,5	0,5	1	0	1	3	0	0
1980	0,5	0,5	1	0,5	1	3,5	0	0
1981	0,5	0,5	1	0,5	1	3,5	0	0
1982	1	1	1	0,5	1	4,5	0	1,5
1983	1	1	1	0,5	1	4,5	0	1,5
1984	1	1	1	0,5	1	4,5	0	1,5
1985	1	1	1	0,5	1	4,5	0	1,5
1986	1	1	1	0	1	4	0	1
1987	1	1	1	0	1	4	0	1
1988	1	1	1	0	1	4	0	1
1989	1	1	1	0	1	4	0	1
1990	1	1	1	0	1	4	0	1
1991	1	1	1	0	1	4	0	1
1992	1	1	1	0	1	4	0	1
1993	1	1	1	0	1	4	0	1
1994	0,5	0,5	1	0	1	3	0	0
1995	0,5	0,5	1	0	1	3	0	0
1996	1	1	1	0	1	4	0	1
1997	1	1	1	0	1	4	0	1
1998	1	1	1	0,5	1	4,5	0	1,5
1999	1	1	1	0,5	1	4,5	0	1,5
2000	1	1	1	0,5	1	4,5	0	1,5
2001	1	1	1	0,5	1	4,5	0	1,5
2002	1	1	1	0,5	1	4,5	0	1,5
Sum:	24	34	32,5	7,5	28	126		

Notes: Sums in the column are the sums of scores on all five criteria for each year. Sums in the bottom row are the sums for each criterion throughout the whole period and for the regime 1966-2002. Bounded wholes (Product) is calculated by multiplying all criteria scores. $X1 \times X2 \times X3 \times X4 \times X5$. (based on Collier & Adcock 1999: 558). Scores for each criterion is dichotomised so that each 0,5 score is regarded as 0. For the Partial interaction horizontal accountability is removed from the bounded whole. $(X1 \times X2 \times X3 \times X5) + X4$. This is consistent with how Collier & Levitsky (1997), and Collier & Adcock (1999) view horizontal accountability. I do not have budget figures for the year 2002, I have nevertheless given the score 0,5 on this criterion for the year 2002.

of the contestation criterion. However, no study presented in this chapter works with participation as the only criterion. The conclusion is therefore that even Przeworski et. al. (2000) with their subminimal definition of democracy based only on contestation, err in their categorisation when they define the Dominican Republic as a full democracy since 1966.

Shugart & Carey (1992) do not define democracy, but apparently work with an electoral definition. Their classification, probably, also err because contestation was not effective before 1978. However, if they consider regular elections as the only criterion for democracy, Shugart & Carey (1992) would be correct in their classification, but it would not be a measure of democracy. Even the subminimalists argue that contestation is a minimal requirement for democracy.

Table 15 shows that the Dominican regime has not satisfied all my 5 criteria for democracy in any year of the period 1966-2002. We remember that horizontal accountability was controversial as a democratic principle (see chapters 2 and 3). Mainwaring et. al. (2001), F.D. Espinal (2001) and Sánchez (1992) did not include horizontal accountability in their definitions. All argued that the Dominican regime was democratic from 1978 (1982) -1993, and for this period they are consistent with my analysis of the regime. Mainwaring et. al. (2001) also, probably, agree with me in arguing that the 1994 was not a fully participative and contested election.

The Mainwaring et. al. (2001) study is very much in accordance with my findings, and I am sure that had they included horizontal accountability in their definition, we would be in almost total agreement. However, we differ on the period 1966-1974. This is probably because Mainwaring et. al. (2001) underestimate the violations of civil liberties and political rights and overestimate the level of contestation in the 1966 and 1970 elections. Section 4.5.1 showed that the violations of civil liberties and political rights were almost as severe as in Argentina during the last military regime, a regime Mainwaring et. al. (2001) considered to be authoritarian. Since their approach with aggregate scores of democracy does not open for identifying their evaluation of every democratic criterion, I cannot be conclusive in reassessing their classification. However, since they argued that the Dominican Republic moved from a democracy to a semi-democracy in 1974,

it is plausible that they considered the electoral processes to have been fair in the 1966 and 1970 elections and that the contestation criterion was partially violated in 1974.

Shugart & Mainwaring (1997), based on Freedom House, argued that the Dominican regime was democratic from 1972. This is because their operationalised definition of democracy not sufficiently considered civil liberties and political rights, and did not follow Freedom House's own recommendations for classifying regimes. Freedom House considers the period 1974-1978 to have been semi-democratic. In my opinion, Freedom House underestimates the violations of political contestation and civil liberties and political rights in the period 1972-1974 since they define the Dominican Republic as democratic for this period.

If we watch the column "Sum" to the right in table 15, we might evaluate whether the Dominican regime has improved democratically over the years, as e.g. Wiarda (1998) alleges. My "Sums" of democracy support Wiarda's (1998) views. The "Sums" show a steady improvement in the regime over the 36 years measured, with some minor setbacks in 1970, 1986 and 1994. My "Sums" are in accordance with some case studies (e.g. Hartlyn 1998a) that argued that there was a setback for democracy with the election of Balaguer in 1986. But, we also note that 1978 is not as significant a transition as some case studies (e.g. Espinal 1994a, F.D. Espinal 2001 & Hartlyn 1998a) suggest (in my classification, it only constitutes a 0.5 point improvement).¹⁷⁶ This is probably because of their focus on the presidency, and Balaguer's electoral loss in 1978. My analysis shows that some of the improvements, as "Effective power to the elected rulers" and "Respect for civil liberties and political rights" improved already in 1975. However, in a presidential regime like the Dominican Republic, the symbolic effect of 1978 and Balaguer's loss cannot be underestimated.

The column to right, "Bounded Whole (product)" demonstrates how we can see democracy as a bounded whole, i.e. a "conceptual interaction": If one attribute of democracy is not fully present, the others lose their meaning (Collier & Adcock 1999: 557-558). I discussed this in chapter 3. My discussion of the various criteria for democracy showed that the major violations of civil

¹⁷⁶ One reason for this is that I do not consider the regime to have met the criteria for contestation and participation until 1982. If one, on the other hand, considers the electoral process to have met these criteria, the regime change in 1978 would have been the most significant change throughout the period 1966-2002.

liberties and political rights affected negatively the political contestation in the Dominican Republic between 1966 and 1974. It is also easy to accept Valenzuela's (1992) or Karl's (1986) argument that e.g. contestation and participation are rendered meaningless in a democratic perspective if the elected rulers do not have the "real" power. By dichotomising each criterion and multiplying the criteria for democracy, I get a dichotomised measure of democracy (0= non-democratic and 1= democracy).¹⁷⁷ By seeing democracy as a bounded whole containing all my 5 criteria, we see that the Dominican Republic has been non-democratic in any year of the time measured. This is not consistent with any of the studies presented in this chapter. Therefore I conclude that my preferred tactics of adding sums for each criterion, and creating a graded conceptualisation of democracy, catches the Dominican reality better than the seeing democracy as a bounded whole and regimes as a dichotomy, at least when operating with an expanded procedural definition of democracy.

Collier & Levitsky (1997) and Collier & Adcock (1999) argue that horizontal accountability is not a democratic criterion, but rather that horizontal accountability should be seen as an additional criterion to democracy.¹⁷⁸ This means that the four other criteria are still democratically meaningful even though there is a lack of horizontal accountability. The far right column in table 15, "Partial Interaction", shows democracy as a concept of partial interaction. This means that variation in the value of horizontal accountability does not affect the values of the other four criteria for democracy. This gives us a score of 0 or 1 depending on the values of the four criteria for democracy except horizontal accountability. Additionally, the regime can score 1, 1.5 or 2 depending on the value of horizontal accountability.¹⁷⁹ Looking at the "Partial Interaction" column, we find that the regime has been continuously democratic since 1982, except for the years 1994 and 1995. However, we also see that the regime has not satisfied the criterion for horizontal accountability throughout the whole period.

¹⁷⁷ Either choose to code 0.5 as 0, or choose 0.5 as 1. I have chosen to score 0.5 as a 0.

¹⁷⁸ This constitutes a classical conceptualisation differentiating between regimes on criteria additional to the ones that define the main category (democracy). This view is in accordance with how O'Donnell (1994) originally viewed the relationship between democracy and horizontal accountability.

¹⁷⁹ The value of horizontal accountability can in this case take the values of 0, 0.5 and 1, indicating "major violations", "partial violations" or "no violations" of the horizontal accountability, respectively.

This exercise of comparing aggregate scores for democracy, democracy as a bounded whole and as a partially interacting concept shows us that the methodological and conceptual choices we make, affect our classifications of political regimes. This fact has not been fully appreciated in institutional studies on democracy and democratic regime stability, and has affected the results of these studies.

Following the rules from chapter 3, I provide labels for the Dominican political regime. I find that the years 1982-1993 and 1996-2002 are best labelled as a “Delegative Democracy”, as O’Donnell (1994) reports many other Latin American countries to be. The elected government respects the political and civil rights, there are regular participative and contested elections, and the elected government is in power. But, no institution can impose upon the government either answerability or sanctions. The institutions providing the horizontal accountability are not granted sufficient power to act independently, and their powers are not respected, or outright undermined, as we saw in the case of the CdC. Table 16 shows that my labels are better than using the concept “semi-democracy”, because the labels distinguish between several types of semi-democratic regimes. This is apparent if we compare the “semi democracy” in the Dominican Republic in e.g. 1970, and the “semi democracy” in 1994. In 1994, the elections violated partially the criteria for “participation” and “contestation”, and there was a lack of “horizontal accountability”. In 1970, there were major violations of the “political contestation”, “the respect for civil liberties and political rights” and “the horizontal accountability”, and partial violations of the criterion of “effective power to the elected government”. The Dominican political regime in 1970 and 1994 are by Mainwaring et.al. (2001) defined as semi-democratic. My labelling distinguishes well between the two years.

Table 16: Regime Labels, radial categorisation. The Dominican Republic 1966-2002

Periods:	Regime Labels:
1966-1974	Restrictive, tutelary, delegative, and illiberal democracy
1975-1977	Restrictive, delegative and illiberal democracy
1978-1981	Restrictive, limited and delegative democracy
1982-1993	Delegative Democracy
1994-1995	Restrictive, limited and delegative democracy
1996-2002	Delegative Democracy

The weakness of the radial-graded categorisation is that until 1975, an authoritarian label could be more appropriate than a secondary category of democracy, since the regime violated four of my five criteria. On the other hand, there were elections and full participation between 1966 and

1974, and this is a distinctive feature from other outright authoritarian regimes such as Pinochet's Chile. We see again, that how we define, conceptualise and operationalise democracy affect our classification of a regime. I have shown a pragmatic approach to the classification of regimes. This pragmatic approach was only possible after studying the value of each criterion of democracy for all years, independent from each other and from other concepts. This approach has enabled me to differentiate between various types of political regimes that others have not been able to identify. The approach was applied to the disputed and difficult case of the Dominican Republic. Therefore, I believe that this approach can be useful in other cases, and I believe that this approach can be an improvement to the existing ways of classifying regimes.

1.0 Introduction

This chapter is a causal analysis based on the institutional variables discussed in chapters 2 and 3. The previous chapter had a classificatory perspective on the Dominican political regime. In this chapter, we move inside the regime and look at institutional processes and relations within the Dominican political regime. The goals are prediction, explanation and causal analysis.

Section 2 presents my dependent variable. Section 3 tests with an approach applicable to large-N studies, whether or not *potential deadlock situations* can predict the level of *production of laws in Congress* and the occurrence of *actual deadlocks* between the executive and the legislative.¹⁸⁰ In the summary, section 3.5, I evaluate which of the competing theories have the most predictive power on actual deadlock. Section 4 is a case study approach that goes behind the results from section 3. I explain the results and provide additional explanations to the patterns in the production of laws in Congress and occurrence of actual deadlocks. Section 5 investigates the effects of potential and actual deadlock on the regime. In section 5, I use the classifications in chapter 4 to evaluate whether potential or actual deadlocks have caused regime changes. I also explore whether potential and actual deadlocks have led to presidential circumvention of Congress, operationalised as presidential decrees and presidential share of the budget expenses.

2.0 Dependent variable: Production of Laws in Congress

Figure 3 presents an overall picture of the production of laws in Congress from the 2nd legislature 1978, until the end of the year 2002, i.e. the 2nd legislature 2002. The figure shows the production of “All Laws” in congress, the “Total Activity” (all laws and resolutions), and the category “Laws and Important Laws”.¹⁸¹ In the Dominican Republic, each congressional year is split into two ordinary legislatures (the 1st legislature starts on February 27, and the 2nd on August 16),

¹⁸⁰ Let me remind the reader that the *potential deadlock situations* are the situations in which the various scholars presented in chapters 2 and 3 expect *actual deadlocks*. For Linz-Mainwaring a *potential deadlock situation* is a minority government, for Cheibub (1) it is a minority government with an opposition that cannot override a presidential veto, for Cheibub (2) it is a situation in which any 2 out of 3 parties make out a majority in Congress and for Shugart & Carey it is a situation where the regime does not have the combination of a president with low legislative powers and high party strength. Mainwaring (1993) does not specifically point to potential deadlock situations, but argue that the potential for deadlocks increases with the effective number of parties.

¹⁸¹ See appendix III for comprehensive coding rules. The categories are also briefly explained below.

each lasting 90 days with the possibility of a 60 days extension. In addition to this, the president can after each legislature, ask for an extraordinary legislature to deal with pressing issues. The extraordinary legislatures are recognised as proper legislatures, and not as extensions of the ordinary legislatures.¹⁸²

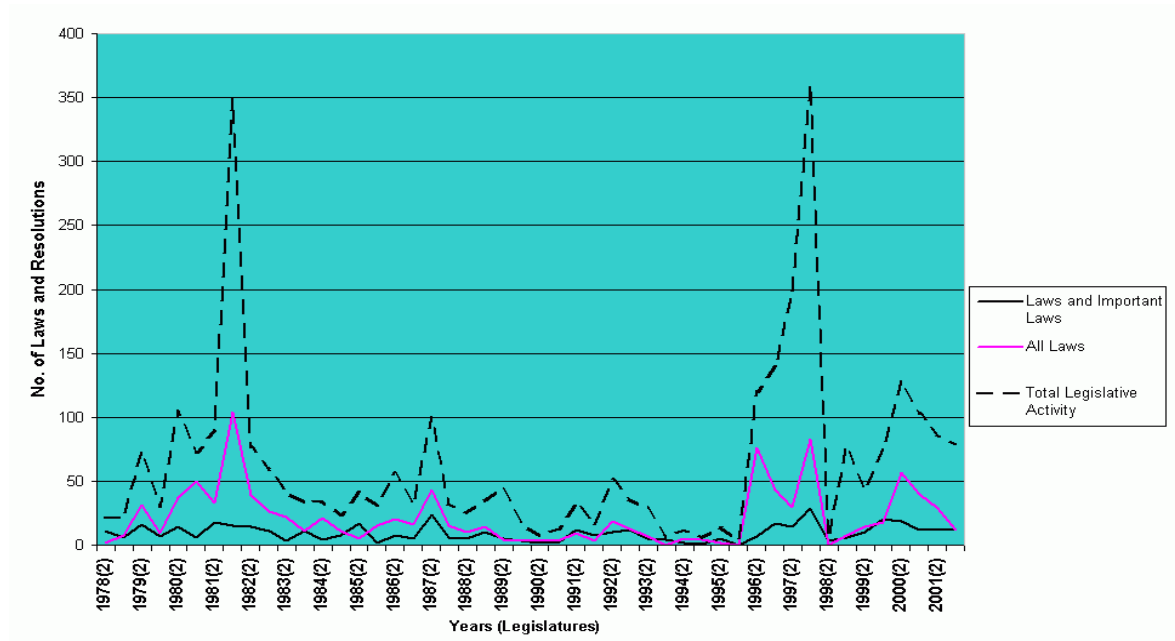
The indicators based on the production of laws do not necessarily tell us anything of the importance of the laws passed. It would be possible to think that minor issues could pass in Congress despite of a deadlock situation. To compensate for this problem, I present three indicators of the activity in Congress. One is an indicator called “Laws and Important Laws” where all pensions laws and other minor issues are exempted, another is “All Laws” where all laws are included, and the third is “Total Legislative Activity” which is the sum of “All Laws” and “All Resolutions”.¹⁸³ I will also provide qualitative assessments of the “Actual Deadlock” periods (sections 4.3 & 4.4). Correlations between the possible indicators were so high that it would be insignificant which I chose (see appendix III). Figure 3 (next page) demonstrates this. The patterns of the graphs show that the indicators correlate strongly. My analysis therefore focuses on the median indicator “All Laws”, which excludes resolutions, but not pension laws. However, I present all three indicators in the following tables and figures in this chapter.

We can clearly identify two periods of high law producing activity. These follow the alterations of power in 1978 and in 1996. The first starts about a year into the Guzmán (PRD, 1978-82) presidency, and lasts till about a year into the Jorge Blanco (PRD, 1982-86) presidency. We see that the low level of production that begun under Jorge Blanco further decreases into the Balaguer (PRSC, 1986-96) presidencies and with the exception of the 2nd legislature of 1987, the activity stabilises at an incredibly low level until the 1996 election. The second period of high activity starts with the Fernández (PLD) presidency in 1996. A dramatic drop in activity in the second legislature in 1998 interrupts the overall higher level of activity after 1996.

¹⁸² In my calculations, extraordinary legislatures are coded to belong to the preceding ordinary legislature.

¹⁸³ See appendix III for coding of “All Resolutions” and background statistics on all the activity in Congress.

Figure 3: Activity in Congress



Notes: Statistics based on personal calculations from the Gaceta Oficial 1978-2002. “Important laws” are the laws that can change the value of a criterion of democracy, budgets and constitutional reforms. “Laws” do not include pension laws and non-substantial laws as the naming of streets. “All laws” are all laws passed. “Total Legislative Activity” includes “All Laws” and “All Resolutions”. For coding rules, see appendix III.

The periods with “Actual Deadlocks”, operationalised in chapter 3 as *lower than 10 “All Laws” passed per legislature*, were from the 2nd legislature in 1989 and till the 2nd legislature in 1991, from the 1st in 1994 till the 2nd in 1996 and the 2nd in 1998.¹⁸⁴ And, even though my figure does not go so far as the 2nd legislature in 2002,¹⁸⁵ there are reasons to believe that this legislature was an “Actual Deadlock” legislature (see section 4.4). Table 17 shows that the “Actual Deadlock” periods are noticeably lower on all congressional activity than all other periods.

Table 17: Activity in Congress and “Actual Deadlock” periods

Administrations and periods	Mean production per Legislature		
	All laws	Laws and Important Laws	Total Legislative Activity
PRD (78-86)	36.7	10.2	68.8
PRSC (86-96)	16.1	6.5	28.5
PLD (96-00)	47.3	13.3	127.1
Post-Balaguer. 96-02	47.6	13.4	117.7
Actual Deadlock periods	5.1	2.7	13.2
Period 78-02	30.8	9.4	64.2

Notes: The numbers indicate mean per legislature. “Actual Deadlock” periods are from (and including) the 2nd legislature 1989 till (but not including) the 2nd legislature 1991, the 1st in 1994 till the 2nd 1996, and the 2nd 1998. The period 1978-2002 is from the 2nd legislature 1978 till the 2nd 2002. Source: Gaceta Oficial 1978-2002.

¹⁸⁴ Figure 3 does not clearly identify the “Actual Deadlocks”, see appendix III for *all* background statistics.

¹⁸⁵ My data collection ended in March 2003, and data for the 2nd legislature 2002 were not yet ready.

The mean of “All Laws” per legislature during the Balaguer presidencies (1986-96) was 16.1 whereas during the PRD administrations (1978-1986) it was 36.7. The “Actual Deadlock legislatures have a mean of 5.1, considerably lower than the Balaguer administrations. After the 1996 election, which marked the start of a period with runoff presidential elections and midterm elections, the mean has been 47.6. This is a clear indication that midterm elections have not had any immediate negative effect with respect to the production of laws in Congress, even though the PLD 1996-2000 administration had a record low support in Congress. This result is contrary to Shugart & Carey’s (1992) hypothesis, who expected a lower production with a presidential majority runoff and midterm elections (see chapter 2, section 3.4.4 and chapter 3, section 3.1.5). The production per legislature during the PLD administration was 47.3.

2.1 My data and the current literature

The current literature on the Dominican Republic (Hartlyn 1998a, Jiménez Polanco 1999, Espinal 1994a, F.D. Espinal 2001) suggests that especially the two PRD administrations 1978-1986 experienced deadlocks between the government and Congress due to an internal crisis in the PRD.¹⁸⁶ However, figure 3 and table 17 above suggest that the activity in Congress was lower, and there were more “Actual Deadlock” legislatures during the Balaguer 1986-1996 administrations than any other period between 1978 and 2002. However, the literature have focused more on Balaguer’s discretionary use of power, presidential dominance, electoral crises, and neopatrimonial tendencies, whereas the relations with Congress and the low activity in Congress are barely discussed.

Figure 3, above, shows that with the escalating internal conflicts in the PRD, the activity in Congress fell. This is also suggested by the cited literature. However, my data, showing no “Actual Deadlocks” during the two PRD administrations, do not support the claim that the internal crisis in the PRD and the economic crisis created deadlocks. However, the internal crisis did affect the relationship between the institutions and gave the Jorge Blanco administration

¹⁸⁶ This will also be discussed in chapter 6, where I focus on the lack of virtuous institutionalisation after 1978.

problems of passing the national budgets.¹⁸⁷ This undoubtedly indicates that Jorge Blanco's PRD majority administration (1982-86) had problems with party discipline. If we consider the two PRD administrations (1978-1986) as minority governments, with one faction controlling Congress and another faction controlling the executive, I would rather conclude that avoiding "Actual Deadlocks" was quite an achievement considering the polarised political climate that reigned. The Balaguer minority administrations did not avoid "Actual Deadlocks".

Even if I increase the threshold for "Actual Deadlocks" from 10 to e.g. 15 "All Laws" passed per legislature, only two more legislatures would be considered "Actual Deadlock" legislatures (2nd 1978 and 1st 1979). This would not change my overall results. And, if I use "Laws and Important Laws" as indicator of "Actual Deadlocks", and e.g. establish the threshold at 6 "Laws and Important Laws" per legislature, then 3 legislatures during the Jorge Blanco presidency would be "Actual Deadlocks", but also 2 during Guzmán (1978-1982), 3 in addition to the 9 already identified during Balaguer (1986-1996) and 1 more during Fernández (1996-2000). The result would have been a total of 19 "Actual Deadlock" legislatures. This operationalisation would have been too inclusive.

The reasons for overestimating the deadlocks during the PRD administrations 1978-1986 by the literature are varied. One is the "deception" with the PRD administrations. They were elected on promises of substantial reforms in both the 1978 and 1982 elections.¹⁸⁸ The PRD administrations were not able to reform the political institutions, nor the Constitution. This has led to the deception with the PRD administrations and conclusions that there was a deadlock between the institutions. Hartlyn (1998a: 160-188) regards the PRD administrations as a missed opportunity for democracy. Another reason is the focus on PRD's internal problems and the failed economic policies in the early eighties. The internal problems in the PRD surely prevented many laws from

¹⁸⁷ The national budgets for 1983, -84 and -85 were not approved until the 1st legislature in the fiscal year (February and March), and in 1986 it was never approved.

¹⁸⁸ Jorge Blanco was elected on a constitutional reform programme (Jiménez Polanco 1999: 129-130), which never passed Congress. When Vice-President Manuel Fernández Marmol died in 1983, the government wanted a constitutional reform. The constitution does not prescribe any way of replacing the vice-president permanently (Hoy 21/01-1983). Nonetheless, it was not even possible to pass such a minor reform. In case of death of the president, the vice president takes his place (Constitución arts. 52, 53, 59 & 60) as when Guzmán committed suicide in 1982, and Vice-President Majluta took over the presidency. If the president and the vice-president are not able to perform their duties, the president of the Supreme Court takes over as president temporarily until the National Assembly is convened (within 15 days), and elects a new president (Constitución art. 60).

being passed, but the strong focus on the internal problems in PRD and the economic crisis ignores the fact that Congress actually played a more important role during this period than during all the Balaguer administrations (1966-1978, 1986-1996).¹⁸⁹ That the PRD was not able to reform the political system as it wanted, does not necessarily mean that there was an “Actual Deadlock” between the institutions.

2.2 Methodological issues

One could argue against my method that my “Actual Deadlock” legislatures are not actual deadlocks, but in reality natural fluctuations in the production of laws due to e.g. work on some major reform issues, or other time consuming legislation. This can definitely be the case in the Dominican Republic where the Congress is not very specialised. For example, most representatives in the Lower Chamber are members of some 3-5 committees. Time consuming reform issues would therefore to a larger extent paralyse the work in the Lower Chamber than in other congresses where specialisation is more developed. My quantitative data do not distinguish between these natural fluctuations in the production of laws and the identified “Actual Deadlocks”.

However, I find my data not to be tainted by such natural fluctuations. I have systematised data regarding the “input” to Congress, which is all *proposals* to resolutions and laws, and compared the number of proposals to the “output”, i.e. the production of laws and resolutions. The data show that in the period from the 2nd legislature in 1990 including the 1st in 2002 there is a strong correlation between the “input” and the “output”. The correlation between the “input” and the “Total Legislative Activity” in Congress is 0.58, and it is 0.68 between the “input” and “All Laws”.¹⁹⁰ This tells us that the proposals for laws and resolutions decrease in the legislatures

¹⁸⁹ I did not have the time to gather data on the 1966-1978 period. It is not certain that the activity in Congress was lower in this period. However, if the 1986-1996 period gives any indication of the activity under the Balaguer 66-78 administrations, it probably was low. What is certain is that in this period, the Congress never worked as an independent institution. Due to the lack of real contestation in this period, see chapter 4, Congress was merely a pro forma institution passing the laws initiated by Balaguer.

¹⁹⁰ Data is taken from the Listados Generales 1990-2002 for the Lower Chamber and the Gaceta Oficial 1990-2002. The Listados Generales are kindly provided to me by Ruth Helen Paniagua Guerrero (leader of the Lower Chamber Archives of the Dominican Congress), and is a statistic over all proposals to resolutions and laws, that are considered and sent to a committee for further treatment. Listados Generales for the Senate was not obtainable. Sadly, the Listados Generales from earlier than 1990 were not yet computerised and not obtainable during my research visit.

when the output activity decreases. This means that the “Actual Deadlock” legislatures are not legislatures treating only one or two major legislative issues. The “Actual Deadlocks” have affected the input side of Congress, i.e. the whole activity in Congress, and also the presidential legislative initiative. During my research I found no indications that the “Actual Deadlock” legislatures were legislatures dealing only with some major political issues. In the period 1990-1994, no major state reforms were dealt with. Except for the 1994 constitutional reform, which was not a time consuming reform, no major reforms was implemented before the Fernández administration (1996-2000). These results further substantiate the findings above, and show that the “Actual Deadlock” periods were not the result of normal fluctuations in the activity in Congress.

3.0 Can the theories predict production of laws and “Actual Deadlocks”?

The new institutional scholars do not test whether their potential deadlock situations lead to “Actual Deadlock”.¹⁹¹ “Actual Deadlock” between the executive and congress is regarded within the new institutional theories, to be a triggering factor for breakdowns of democratic regimes. This section provides an approach applicable for large-N studies, before I in section 4 use the advantages of a case study approach to further explain the occurrence of “Actual Deadlocks” in the Dominican Republic. Using the production of “All laws” in Congress gives me two dependent variables to measure the effect of the independent variables: 1) The mean production of “All Laws” in Congress; and 2) The occurrence of “Actual Deadlocks” (see chapter 3, section 5). This increases the validity of my approach.

There are some problems with using the data from the Listados Generales because it is not certain that all proposals have been recorded in these documents. Doña Helen could not assure me that earlier procedures regarding the recording of all proposals sent to committees were as good as they are now. However, I choose to use them since they correlate so strongly with the “output” side in Congress, and there would have to be grave irregularities to alter the results found in my treatment of the data.

¹⁹¹ An exception is Shugart & Carey’s (1992: 68-71) study of the Weimar republic (based on Lepsius 1978).

3.1 The Linz and the Linz – Mainwaring hypotheses

Linz H: *A parliamentary form of regime is better than a presidential form of regime at fulfilling the criteria for democracy, and stabilising and consolidating a democracy.*

As this is a case study, it is impossible to assess the effect of presidentialism on “Actual Deadlock” and democratic stability compared to a parliamentary regime. This would have required a comparison with cases of parliamentary states. However, Linz (1994) argues that the problems of presidentialism especially occur during minority governments. So my analysis starts with the joint Linz – Mainwaring hypothesis:

During minority presidential governments there will be a lower production in congress than during majority presidential governments.

As discussed in chapter 3, there are two ways of studying the executive-legislative relations. One is to investigate the mean production per legislature of “All Laws” in order to see if potential deadlocks (for Linz-Mainwaring: minority governments) lead to a lesser activity in congress. Another is to identify the “Actual Deadlock” situations and explain these by institutional models.

Table 18: Minority/majority governments' effect on Activity in Congress and “Actual Deadlocks”

Hypothesis' expectations:	Independent variable: Government size	Number of legislatures:	Mean production per Legislature			Actual Deadlock legislatures
			All laws	Laws & Imp. Laws	Total legislative activity	
Potential Deadlock	Minority governments	12	33.1 (35.9)	9.5	87.8	5
	One chamber majority	24	27.9 (29.4)	8.9	53.9	5
No Deadlocks	Full majority	12	34.4 (18.0)	10.4	61.4	0
	Actual Deadlock legislatures	10	5.1	2.7	13.2	
	Period 78-02	48	30.8	9.4 (6.3)	64.2	10

Notes: Figures in parenthesis are standard deviations. Even though the PRSC achieved 50% (15/30) of the seats in the Senate, the PRSC administration 94-96 is considered a pure minority government because the required majority for passing a law in the senate is an absolute majority of votes (Reglamento interno del Senado de la RD, art. 37). I.e. with 50% of the seats, the opposition can block legislation. Source: Gaceta Oficial 1978-2002.

Table 18 shows the period 1978-2002 broken down into minority, one chamber majority or majority governments. The table identifies the mean production per legislature of “All Laws”, “Laws and Important Laws”, “Total Legislative Activity”, the standard deviation in the production of “All Laws” (in parenthesis) and the “Actual Deadlock” legislatures.

My data do not support the Linz-Mainwaring hypothesis's expectation that the general production of “All Laws” in Congress is lower during minority governments than during

majority governments. The mean productions of “All Laws” are almost equal for majority, one chamber majority and minority governments, 33.1, 27.9 and 34.4 per legislature, respectively. The production of laws is not significantly lower during the two variants of minority governments than the overall mean at 30.8 per legislature. However, one interesting finding partially supports the Linz-Mainwaring hypothesis. The standard deviation of the production of “All Laws” is much higher during minority governments and one chamber majority governments, 35.9 and 39.4 respectively, than during majority governments, 18.0. This indicates that even though the central tendency is almost the same for all possible government-legislative situations, the volatility in production is higher during minority governments. *I interpret this as a sign of lower stability during minority governments, but only a partial support for the Linz-Mainwaring hypothesis.*

Linz-Mainwaring Deadlock H: During minority presidential governments there will be a higher frequency of “Actual Deadlocks” than during majority presidential governments.

All 10 “Actual Deadlock” legislatures have occurred during one of the two types of minority government, i.e. during Linz-Mainwaring’s potential deadlock legislatures. This is a very interesting finding. We can conclude that when political crises occur, there is a higher risk of these leading to “Actual Deadlocks” during minority governments than during majority governments. 41.7% of the legislatures during minority governments, and 20.8% of the legislatures during one chamber majority governments were “Actual Deadlock” legislatures. “Actual Deadlock” legislatures represent 27.8% of the legislatures during non-majority governments. None of the legislatures during majority governments were “Actual Deadlock” legislatures. This confirms that if the president does not have a majority in congress, the opposition can effectively punish the incumbent by blocking legislation. *This is a strong support for the Linz-Mainwaring Deadlock hypothesis.*

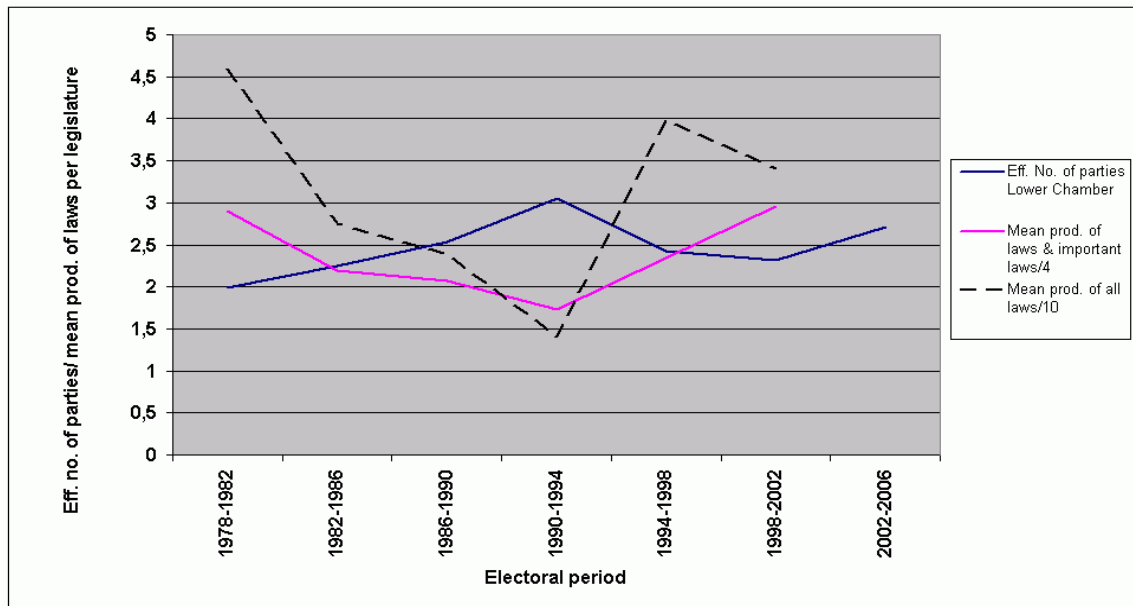
3.2 The Mainwaring hypothesis

Mainwaring H: *With increasing number of parties the production in congress will decrease.*

Figure 4, below, shows an inverse relationship between the activity in congress and the effective number of parties, as predicted by Mainwaring (1993). As the effective number of parties steadily

increased between 1978 and 1994, there was a steady decline in the production of “All Laws” and “Laws and Important Laws” (see figure 4 and table 19 below). Furthermore when the effective number of parties declined in 1994, the two law production indicators increased. The “Laws and Important Laws” also increases in the 1998-2002 electoral period with the further decline in the number of parties, however the graph for “All Laws” does not follow this pattern in the period 1998-2002. The 2002 congressional election brought another increase in the number of parties, and if the Mainwaring hypothesis still predicts the activity in congress, we can expect a decline in the activity for the 2002-2006 electoral period.

Figure 4: Effective number of parties Lower Chamber and production of laws in Congress



Notes: Electoral data from JCE (<http://www.jce.do>). Calculations of effective number of parties are mine, and are based on representation in Lower Chamber, not votes. Law data from Gaceta Oficial 1978-2002. The graph of the effective number of parties goes to 2006, but my statistics of the laws stop in 2002. Note that the mean production of “Laws and Important Laws” is divided by 4, and that the mean production of “All Laws” is divided by 10. This is done to improve the clarity of the figure.

The angles with which the graphs increase and decrease are almost the same, creating great symmetry between the variables until 1998. *This indicates a strong support for Mainwaring’s prediction.* One problem here is the vast variation of the activity between the legislatures in the 1994-1998 electoral period. This is disguised by the mean for the whole period (see table 3 below). *But, I still consider my data to support the Mainwaring hypothesis.* However, there is no indication that the instability in production increases with the effective number of parties. Table

19 below shows that there is no clear relationship between the standard deviation, and the effective number of parties.

Mainwaring Deadlock H: *With increasing number of parties there will be an increasing frequency of “Actual Deadlocks”.*

My data also support the Mainwaring Deadlock hypothesis. The three electoral periods 1986-1994 have had the highest effective number of parties, and 9 out of the 10 “Actual Deadlock” legislatures.¹⁹² Furthermore, table 19 shows that the mean effective number of parties during “Actual Deadlocks” is higher than the overall mean of the effective number of parties in the Lower Chamber, 2.62 and 2.43, respectively. For the Senate the numbers are 2.04 and 1.92, respectively.

Table 19: Effective number of parties’ effect on Activity in Congress and “Actual Deadlocks”

Electoral periods	Number of legislatures	Effective Number of parties Lower Chamber	Effective Number of parties Senate	Mean production per Legislature			Actual Deadlock legislatures
				All laws	Laws & imp. Laws	Total legislative activity	
1978-1982	8	1.99	1.93	45.9 (34.8)	11.6	94.9	
1982-1986	8	2.25	1.87	27.5 (12.0)	8.8	42.8	
1986-1990	8	2.53	1.82	23.9 (18.9)	8.3	42.7	2
1990-1994	8	3.05	2.23	14 (9.8)	6.9	24	3
1994-1998	8	2.43	2.13	39.8 (42.2)	9.4	106.5	4
1994-1996	4	2.43	2.13	4.8	2	9	
1996-1998	4	2.43	2.13	74.8	16.8	204	
1998-2002	8	2.31	1.51	34 (23.0)	11.8	74.5	1
1998-2000	4	2.31	1.51	19.8	9.8	50.3	1
2000-2002	4	2.31	1.51	48.3	13.8	98.8	
2002-2006	8	2.71	1.21	-	-	-	-
Deadlock legislatures	10	2.62	2.04	5.1	2.7	13.2	
Period 78-02	48	2.43	1.92	30.8 (26.9)	9.4	64.2	10

Notes: The electoral periods 1994-1998 and 1998-2002 are split because of the midterm congressional elections. Figures in parenthesis are standard deviations. The effective number of parties are calculated by the Laakso/Taagepera index, the formula is from Mainwaring 1993. $N_s = 1/\sum p_i^2$. N_s is the effective number of parties, p_i is the proportion of seats for the i 'th party. One can calculate this index by the share of votes or by the share of representatives. I use the share of representatives. Sources: JCE (<http://www.jce.do>) and Gaceta Oficial 1978-2002.

¹⁹² The exception is the 2002-2006 electoral period, which has the 2nd highest effective number of parties in the Lower Chamber (2.71) for the whole 1978-2006 period. However, I do not have statistical data on the legislative activity in Congress later than the 1st legislature in 2002.

3.3 The Cheibub hypotheses

Cheibub 1H: *In the situations where the opposition cannot override a presidential veto and the president's party does not enjoy a majority in both chambers of congress there will be a lower production in congress as compared to all other situations.*

Comparing the Cheibub (1) potential deadlock situations with the Linz-Mainwaring potential deadlock situations, we find few differences. The difference is that the Cheibub (1) hypothesis distinguishes between two types of minority governments, but only one of these will create “Actual Deadlocks”. This is the situation described in the hypothesis above. With concurrent elections there is normally little ticket splitting (Shugart & Carey 1992: 239). Ticket splitting has not been normal in the Dominican Republic, and at times it has even been impossible.¹⁹³

Therefore, Cheibub's other type of minority government, in which “Actual Deadlocks” are not expected, “Opposition Rules”, does not occur very often. The president's party generally wins more than 1/3 of the representatives in at least one chamber of Congress. Therefore, in the Dominican Republic, we cannot distinguish between the competing Cheibub (1) and Linz-Mainwaring hypotheses until 1996. The presidential election in 1996 gave the Dominican Republic a situation of “Opposition Rules”, when Fernández (PLD) became president with only 10.8% of the seats in the Lower Chamber and 3.3% in the Senate. In the congressional midterm election in 1998, the governing PLD improved their standing somewhat, but the PLD still had only 32.9% of the seats in the Lower Chamber and 13.3% in the Senate. Furthermore, the “Opposition Rules” situation was created by the introduction of a majority election in two rounds. This allowed the runner up in the first round, Fernández (PLD) who represented the smallest party in Congress, to ally with the second runner up, PRSC, and win the presidency in the second round. The Dominican Republic will confront this situation again if either the PLD or the PRSC wins the presidential election in 2004.¹⁹⁴

¹⁹³ Ticket splitting was not possible in the 1966, 1970, 1974 and 1986 elections because of the “boleta única” system where the voters submitted only one ticket containing the presidential, senatorial and Lower Chamber candidates. See Mitchell (1999: 309).

¹⁹⁴ Consult the tables of electoral results in appendix I.

Table 20: Government party support and veto rules’ effect on Activity in Congress and “Actual Deadlocks”

Hypothesis’s expectations:	Independent variable: Government size and veto override rules	Number of legislatures	Legislatures	Mean production per Legislature			Actual Deadlock legislatures
				All laws	Laws & Imp Laws	Total Legislative activity	
No Deadlocks	President Rules	12	82-86, 00-02	34.4 (18.0)	10.4	61.4	0
	Opposition Rules	8	96-00	47.3 (36.5)	13.3	127.1	1
Potential Deadlock	Min. government. No oppositional veto override	28	78-82, 86-96	24.6 (25.7)	7.9	47.5	9
Actual Deadlock	Deadlock legislatures	10		5.1	2.7	13.2	
	Period 78-02	48		30.8 (26.9)	9.4	64.2	10

Notes: Coding rules for “President Rules”, “Opposition Rules”, and “Deadlock potential” are taken from Cheibub 2002. Sources: JCE (<http://www.jce.do>) and Gaceta Oficial 1978-2002. Standard deviations in parenthesis.

As expected by the Cheibub (1) hypothesis, there is a lower mean production of “All Laws” in Congress during potential deadlock periods than during periods when no deadlocks are expected. On all three indicators, the mean production in Congress per legislatures is lower during Cheibub’s potential deadlock, than the overall mean, and than any other period. However, the differences from the overall mean are not high. The standard deviations (in parentheses) show no indications of a higher instability in the production of laws during potential deadlock periods than during other periods. Only during the “Opposition Rules” situation is there a markedly higher standard deviation. This can be the result of what Mainwaring and Cheibub call the instability of coalitions.¹⁹⁵ *My data partially support the Cheibub 1 hypothesis. It is not a substantial support, since the differences in production from the overall mean are quite low.*

Cheibub 1 Deadlock H: *In the situations when the opposition cannot override a presidential veto and the president’s party does not enjoy a majority in both chambers of congress there will be a higher frequency of “Actual Deadlocks” as compared to all other situations.*

The picture is different when we identify the “Actual Deadlocks” and compare them with Cheibub’s (1) potential deadlock. 9 out of 10 “Actual Deadlock” legislatures have occurred during Cheibub’s (1) potential deadlock periods. Only 1 occurred when there was a situation of “Opposition Rules”. 32% of the legislatures during Cheibub’s (1) potential deadlocks were “Actual Deadlock” legislatures, whereas only 12.5% of the “Opposition Rules” were “Actual Deadlock” legislatures.¹⁹⁶ *My data, therefore, substantially support the Cheibub 1 Deadlock hypothesis.*

¹⁹⁵ This is further discussed in section 4.4.

¹⁹⁶ Section 4.4 shows that the executive-legislative situation during the “Actual Deadlock” legislature in 1998 can be understood as a potential deadlock legislature and not as an “Opposition Rule” legislature.

However, the problem of “Actual Deadlocks” in the Dominican Republic has not been around the issue of presidential veto and veto override, as Cheibub (2002) stipulates. My discussion, sections 4.3 and 4.4, shows that “Actual Deadlocks” can be triggered by many factors other than the presidential veto. Only during the 2nd legislature of 1998 has the presidential veto been part of an “Actual Deadlock” crisis. This was a period of “Opposition Rules”, but the opposition was split, and the PLD administration’s veto was supported by the PRSC. Therefore, the veto could not be overridden and aggravated the “Actual Deadlock”.¹⁹⁷

Cheibub 2H: *Moderate pluralism, a situation where any 2 of 3 parties constitute a majority in Congress, lead to a lower production in congress than any other situation.*

The effective number of parties has only reached levels above 3 effective parties in 1990-1994 (3.05 effective parties).¹⁹⁸ However, as Cheibub (2002: 301) argues, it is the distribution of strength between the three biggest parties that is important.¹⁹⁹ Cheibub argues that when any two of three parties can form a majority in at least one chamber of Congress, any coalition becomes unstable because the two party coalitions can “...*be undermined by counteroffers by the third one*” (Cheibub 2002: 300).

¹⁹⁷ The case was that President Fernández (PLD) vetoed the PRD initiated law assigning the name of the recently deceased Dr. José Fransisco Peña Gómez to the International Airport in Santo Domingo. This law and veto of seemingly minor importance aggravated an already existing “Actual Deadlock” (see section 4.4). The airport finally got the PRD leader’s name. It is now called “El Aeropuerto Internacional José Fransisco Peña Gómez”

¹⁹⁸ This was the result of the PRD split and creation of the PRI, and the rise of the PLD. This led to three almost equally sized parties in the Lower Chamber. The PRD, the PLD and the PRSC obtained 27.5%, 36.7% and 34.2%, respectively. The PRI obtained 1.6 of the seats in the Lower Chamber.

¹⁹⁹ The levels of effective number of parties do not reach 3 because I have calculated party alliances as being one party. In the Dominican Republic, this inhibits the effective number of parties from being more than three at any time. The exception is the Lower Chamber in 1990. If I had counted the three main parties’ allied groups as proper parties, the effective number of parties would have been somewhat higher. It is nevertheless, more correct not to calculate the alliance partners as proper parties since the smaller parties normally (there are some exceptions) figure on the same lists as the main party in the alliance.

Table 21: Unstable majorities’ effect on Activity in Congress and “Actual Deadlock”

Hypothesis’s expectations:	Independent variable: Number of parties	Legislatures	Number of Legislatures	Mean production per legislature			Actual Deadlock legislatures
				All Laws	Laws & Imp Laws	Total legislative activity	
No deadlocks	One party majority	1982-1986, 1998-2002	16	30.8 (23.0)	10.3	58.6	1
	Two parties	1978-1982	8	45.9 (34.8)	11.6	92.4	0
Potential deadlock	Unstable majority	1986-1998	24	25.9 (28.2)	8.2	57.8	9
Actual deadlock	Deadlock legislatures		10	5.1	2.7	13.2	
	Period 78-02		48	30.8 (26.9)	9.4	64.2	10

Notes: Unstable majority: Any two of three parties constitute a majority. No single party with majority. Two parties: Only two parties in Congress. Figures in parenthesis are standard deviation. Data from the JCE (<http://www.jce.do>), Gaceta Oficial 1978-2002. Standard deviations in parenthesis.

Table 21 shows that the Cheibub (2) potential deadlock periods, “Unstable Majority”, have a lower production of “All Laws” than the overall mean between 1978 and 2002. It is also lower than the “One party majority” and the “Two parties” periods in Congress. However, the differences in production of “All Laws” over the various values of the independent variable are not substantial. The “Unstable Majority” periods have a mean of 25.9 laws per legislature, whereas the 1978-2002 and the “One party majority” periods have both a mean production of 30.8 “All Laws” per legislature. We also note that the standard deviation for the “Unstable Majority” period is almost equal as the standard deviation for the whole period. *My data only partially, but not substantially, support the Cheibub 2 hypothesis.*

Cheibub 2 Deadlock H: *Moderate pluralism, a situation where any 2 of 3 parties constitute a majority in Congress, lead to a higher frequency of “Actual Deadlocks” than any other situation.*

The Cheibub 2 Deadlock hypothesis pinpoints 9 out of 10 “Actual Deadlock” legislatures, as did the Cheibub 1 Deadlock hypothesis. *This constitutes 37.5% of the legislatures with “Unstable Majority” and is a strong support for the hypothesis.* This percentage is even higher than the comparable figures for the Linz-Mainwaring and the Cheibub 1 Deadlock hypotheses. There were no “Actual Deadlocks” during the “Two Parties” legislatures and only one “Actual Deadlock” legislature (2nd 1998) during the “One party majority” legislatures.²⁰⁰ This constitutes 6.3% of the legislatures of the legislatures with “One party majority” in Congress. *My data therefore give substantial support for the Cheibub 2 Deadlock hypothesis.*

²⁰⁰ It was not the governing party (PLD) that had the majority in Congress in this period. It was the PRD.

3.4 Shugart & Carey hypothesis

Shugart & Carey H: *The production in congress will increase as the party strength increases.*

I have already discussed parts of Shugart & Carey's theory in chapter 4. Their measure of presidential powers and their model of efficient regimes combined classified the Dominican Republic as an efficient regime. Shugart & Carey (1992) also defined the Dominican regime as a full democracy for the 1966-2002 period. Chapter 4 criticised these views. Their party strength/regime efficiency hypothesis remains to be evaluated. I have modified Shugart & Carey's (1992: 174-176) scale of party strength so that it varies between the various parties, and not only between different party systems. Chapter 4 demonstrated that there have been no changes in the presidential legislative powers throughout the period 1978-2002.

Table 22 (below) demonstrates that the PRSC and the PRD until 1994 did not have the same party strength when they were in government. PRSC scores a full 10 points (100%) on this scale. Balaguer created and owned the party until his death in the summer 2002. The PRD as a governing party, scores considerably lower because the party leadership never controlled the government. In addition, the PRD had internal party conventions that elected the presidential candidate, i.e. not total control of the nominations. Furthermore, to satisfy the various factions within the PRD there was an agreement that assured the losing presidential candidate's faction control over the nominations to congressional elections. The result of this, which in PRD circles is regarded to be the success formula keeping the party together (Decamps 2003), is that the party leadership weakened its control over the representatives in Congress. It also created an institutional basis for the quarrels between the executive and legislative during the PRD administrations 1978-1986. One could say that the PRD sacrificed leadership control, and subsequently efficient government, to party "unity". However, as the data material in table 17 showed, this did not seriously affect the activity in Congress. The PLD administration scores high on the party leadership indicator because the PLD leadership still had a significant control over the nominations to Congress in 1994 and 1998, and the presidential nomination in 1996 was undisputed.

After 1994, all parties have more or less opened for internal primaries to some congressional nominations, but, it was not until the 2002 congressional election that this became the norm. The

parties have also held internal elections for the presidential nomination. The internal elections lessen the leadership control over the nominations, and with internal primaries for both congress and president, economic resources for the candidates have become more important. The government party can therefore, due to the lack of party funding in campaigns and the government's resources, exercise some influence by funding preferred candidates.²⁰¹ On the other hand, this cannot compensate for the total control the party leaders had on nominations to congressional lists earlier, nor is it incorporated into my scale. Some new legal changes have also been introduced with the 2002 election. Now, preferential voting for the Lower Chamber leads each candidate to compete against the other candidates within their own party as well as the competing parties. This is expected to lessen the party leadership control.

Table 22: Government party strength's effect on activity in Congress and “Actual Deadlock”

Electoral period	Independent variable: Party strength			Governing party	Majority Government	Mean production per legislature			Actual Deadlock legislature
	PRD	PLD	PRSC			All Laws	Laws & Imp. Laws	Total legislative activity	
1982-86	5	8	8	5	Yes	27.5 (12.0)	8.8	42.8	0
1986-90	5	8	10	10	No	23.9 (18.9)	8.3	42.7	2
1990-94	6	8	10	10	No	14 (9.8)	6.9	24	3
1994-96	8	8	9	9	No	4.8 (3.3)	2	9	4
1996-98	8	10	7	10	No	74.8 (29.5)	16.8	204	0
1998-00	5	10	7	10	No	19.8 (14.9)	9.8	50.3	1
2000-02	7	6	7	7	Yes	48.3 (21.8)	13.8	98.8	0
2002-06	3	2	3	3	No				

Notes: Government party in bold. To distinguish between the different parties, I have used the Shugart & Carey (1992: 174-176) measure of party strength, and further developed it. Majority Government stands for majority in both chambers. The scores are the sums of a scale based on five indicators. The score and coding rules for each party on each indicator can be found in appendix III. The maximum score is 10 for a government party, and 8 for an opposition party. Indicator 3 (party leadership in government) does not apply for an opposition party. Each indicator can score between 0 and 2. The higher the score, the more leadership control on each indicator. The first indicator is Shugart & Carey's (1992) *control of nominations to congressional lists*. The second is *control of nomination of presidential candidate* (Geddes 1994: 163). The third is *party leadership in government*. The fourth is *control of the order of election* (Shugart & Carey 1992). The fifth is *lack of internal competition* (Shugart & Carey 1992). My evaluation of party scores is based on Shugart & Carey 1992, Jiménez Polanco 1999, Agosto & Villamán 2002, interviews with party officials, and official party documents (see bibliography and appendix III).

Table 22 shows that the “Party Strength” does not affect the activity in Congress. And, if there is any effect, table 22 indicates that it is the contrary to Shugart & Carey's (1992) expectations. The PRSC (86-96) administrations, with the highest possible party strength score, show a much lower

²⁰¹ In the 2002 campaign, the PRD funded each candidate with 50,000 DOP. There was no funding for the internal campaign. Two PRD representatives in the Lower Chamber said they each spent more than 1 million DOP in the campaigns, and that other representatives reached levels of 3.5 million DOP (Bueno Patiño 2003, Rodríguez 2003). In 2002 1 USD was ca. 18 DOP, (Banco Central: <http://www.bancentral.gov.do/dolar.html>, accessed 20/07-2003). And, although numbers were not mentioned in interviews, it is clear that the financial support from the PLD and the PRSC to their candidates was minimal compared to the campaign costs.

activity than the weaker PRD (78-86) administrations. On the other hand, a strong governing party does not indicate that the activity always is low, which the PLD administration (96-00) shows. The weaker PRD administrations also demonstrate that a weak governing party not necessarily create “Actual Deadlocks”, but we see that the PRD administration 1982-1986 is somewhat weaker than the PRD administration 1978-1982, and that the activity in congress declines. *My data therefore give no support for the Shugart & Carey hypothesis.*

Linz (1994: 34-35) argues that it is the combination of the government party strength and the opposition party (-ies) strength that is important. If a minority government can hold rank, while creating defections in the other parties, it avoids deadlock. I.e. a government party needs to be strong, while it is interested in maintaining the other parties weak. *My data do not support Linz’s argument.* During the first PRD administrations the opposition party (-ies) were strong. This lessened the probability of defection from the opposition parties, and could have created difficulties of constructing majorities for the governments’ policies. The Jorge Blanco (1982-1986) administration was a majority government and would not normally need support from the opposition. However, the internal problems in the PRD created defections from the government line. This can partly explain the lower activity in congress in this period. Additionally, the opposition Jorge Blanco faced was constituted of strong parties. Still, it is difficult by Linz’s theory to explain the lower activity during the PRSC minority administrations that faced a weak and factionalised PRD, and the stronger PLD. This should have eased governability, but the activity is still lower than for both administrations of weaker parties (1978-1986), and strong party administrations facing stronger opposition (1996-2000).

Shugart & Carey Deadlock H: *There will be a lower frequency of “Actual Deadlocks” as the party strength increases.*

There is no connection between party strength and “Actual Deadlock” legislatures. All 10 “Actual Deadlock” legislatures have occurred during strong governing parties, scoring 9 or 10 on my 10 point scale. Furthermore, until 1994, the PRD in opposition was relatively weak, which should have increased the risk of defections in PRD, and thereby decreased the risk for “Actual Deadlocks”. 5 out of 10 “Actual Deadlocks” occurred during the PRSC administrations 1986-1994, with a weak PRD in opposition. However, in the 1994-1996 period, with a strong central

control by Peña in the PRD, the Dominican Republic experienced its longest “Actual Deadlock” period, and in 1994, the Dominican Republic also experienced a negative regime change with breaches of both the participative and the contestation principles of democracy (see chapter 4). The electoral crisis created strong polarisation between strong parties. And even though the minority Balaguer administration (1994-1996) won over one PRD allied senator to the PRSC band and obtained a senatorial majority (Hartlyn 1998a), the “Actual Deadlock” endured until the 1996 presidential election.

3.5 A summary comparing the theories

In reality we are talking of two main groups of hypotheses. One group is Linz-Mainwaring and the Cheibub 1 hypothesis, while the other is the Mainwaring hypothesis and the Cheibub 2 hypothesis. A bit on the side of this grouping, stands the more complex Shugart & Carey hypothesis. The hypotheses in the first group (Linz-Mainwaring & Cheibub 1) are comparable and almost equal since the base of the hypotheses is the legislative position of the executive. Does the government have a majority or not? The Linz-Mainwaring and the Cheibub 1 hypotheses are distinguished by the “Opposition Rules” situation defined by the Cheibub 1 hypothesis. This situation rarely occurs, although we saw that in the Dominican Republic the situation has become relevant because of the majority in two rounds presidential elections and the midterm electoral cycle. The Mainwaring and the Cheibub 2 hypotheses are grouped together because for these hypotheses, the government’s legislative support is irrelevant. The effective number of parties in Congress, which also affects the probabilities of getting majority governments, is the important factor.

For the mean production per legislature of “All Laws” in Congress, *we find that only the Mainwaring hypothesis is substantially supported in my data material.* We saw, however, that there was a lower mean production per legislature of “All Laws” during Cheibub’s (1 & 2) potential deadlock periods, than any other situation. The production of “All Laws” during Cheibub’s (1 & 2) potential deadlock periods were also lower than the mean per legislature for the whole period. Only the Cheibub 1 hypothesis distinguishes the PLD administration (1996-2000) as a period that not expects “Actual Deadlocks”. This period was a period of high activity in Congress, and explains the better support for the Cheibub 1 hypothesis. The better support for

the Cheibub 2 hypothesis as compared to the Linz-Mainwaring hypothesis is explained by the fact that the Cheibub 2 hypothesis did not consider the period 1998-2000 as a potential deadlock period. But, *I concluded that the results did not give substantial support for the Cheibub hypotheses.*²⁰² I discuss this further in the sections 4.1 and 4.2.

It is also interesting to see that the single-most important predictive factor for the differences of production of “All Laws” in Congress was *party in government*, not any of the institutional variables studied above (see table 17). The Balaguer administrations (1986-1996) had a production mean of merely 16.1 laws per legislature. But, excluding the “Actual Deadlocks” 1990-1991 and 1994-1996, the mean is 24.9. So, the reason for this low activity was the fact that Balaguer led potential deadlock governments that frequently led to “Actual Deadlocks”.

We saw that all the hypotheses, except the Shugart & Carey hypothesis, predicted remarkably well the “Actual Deadlock” legislatures. All the “Actual Deadlock” legislatures occurred during one of the two types of minority governments (the Linz-Mainwaring Deadlock Hypothesis), and during periods of a relatively high number of parties compared to the overall mean (the Mainwaring Hypothesis). 9 out of the 10 “Actual Deadlock” legislatures were predicted by the two Cheibub Deadlock hypotheses. *This means that the existence of a potential deadlock situation is a necessary condition for the occurrence of “Actual Deadlocks”.* 27.8% of the legislatures during a one chamber or a two chamber minority government were “Actual Deadlock” legislatures (Linz-Mainwaring hypothesis, table 18). 32.1% of all of Cheibub’s (1) potential deadlock legislatures were “Actual Deadlocks” (table 20). 37.5% of the legislatures with “Unstable Majority” were “Actual Deadlocks” (Cheibub 2 Deadlock hypothesis, table 21). *This means that the existence of a potential deadlock is not a sufficient condition for the occurrence of “Actual Deadlocks”.* For the Mainwaring Deadlock hypothesis (table 19), we discovered that the mean effective number of parties during “Actual Deadlocks” was 2.62, which is higher than the overall mean of 2.43. The Cheibub 2 Deadlock hypothesis has a somewhat higher percentage of predictive value on “Actual Deadlocks” than the other hypotheses, but *the differences between the hypotheses are not sufficiently substantial to make strong conclusions on*

²⁰² My regression analysis in appendix III supports my conclusions in this chapter.

which of the hypothesis best predict the occurrence of “Actual Deadlocks”. I discuss the “Actual Deadlocks” in sections 4.3 and 4.4.

My goal of identifying the best predictive theory was not fully accomplished. I found that the Mainwaring hypothesis was best at predicting the production of “All Laws” in congress, and that the Shugart & Carey hypothesis did not predict either “Actual Deadlocks” or the production of “All Laws”. But, I am not able to distinguish which of the Linz-Mainwaring, Mainwaring, or the two Cheibub hypotheses are best at predicting “Actual Deadlocks”. In order to distinguish this, a broader cross national study with a similar approach to mine, would be required. This would increase the number of observations, and one would be better equipped to distinguish between the theories. I believe we could come closer to identifying which new institutional theory best predicts “Actual Deadlocks”. Furthermore, a large-N approach would enable us to use a more refined statistical approach such as regression analysis.

However, my data have indicated the problem of comparing various models that are quite equal. In addition the various scholars’ independent variables are interconnected. Both Linz-Mainwaring’s and Cheibub’s (1) potential deadlock periods occur more frequently with a higher number of parties (Mainwaring hypothesis and Cheibub 2 hypothesis).

Another possible conclusion of my data material is that the new institutional debate, presented in chapter 2, is a pseudo debate. Chapter 4 indicated that the various scholars all found support for their theories based on different definitions and operationalisations of democracy.²⁰³ These different definitions and operationalisations can be the causes for their disagreement. The tables above showed that there is little difference between the independent variables of the various scholars. During a minority government, the opposition normally is not strong enough to override a presidential veto. This means that the Linz-Mainwaring potential deadlock situations occur simultaneously with the Cheibub 1 potential deadlock situations. Furthermore, in party systems with three dominating parties, these potential deadlocks coincide with the Cheibub 2 potential deadlock situations, “Unstable Majority”. In other words, when the Linz-Mainwaring hypothesis predicts “Actual Deadlocks”, the two Cheibub hypotheses normally also predict “Actual

²⁰³ Chapter 6 will show that the various new institutionalists also vary in their definitions of democratic stability.

Deadlocks”. The similarity between independent variables of the various new institutional theories further substantiates my findings in chapter 4. How you choose to define democracy and democratic stability is decisive for the empirical support one theory can find vis-à-vis the others. Nevertheless, what the tables above clearly demonstrate is that *institutions strongly affect the probabilities for the occurrence of “Actual Deadlock”*.

4.0 A case study approach to the production of laws and “Actual Deadlocks”

The previous section used a “large-N approach” to study my data material on political institutions as independent variables predicting production of “All Laws” in Congress and “Actual Deadlocks”. This section provides an in-depth case study approach. I explain why the Mainwaring hypothesis was the only hypothesis that predicted the production of “All Laws” in Congress. There are two reasons for the other theories’ low predictive power with respect to the central tendency of production of “All Laws” in Congress. One reason is the governments’ persuasive powers to influence the representatives in Congress. The other reason is the increased tendency of creating inter-party alliances between the government party and an opposition party. These factors are indirectly connected to the effective number of parties via the governing party’s support in Congress and can explain why the Mainwaring hypothesis predicts satisfactorily the production of “All Laws” in Congress.²⁰⁴

Although I was not able to distinguish which hypothesis best predicted “Actual Deadlocks”, the analysis pointed to *necessary, but not sufficient conditions* for the occurrence of “Actual Deadlocks”. Section 3 partly answered the question of why the “Actual Deadlocks” have occurred. *A potential deadlock situation, either Linz-Mainwaring or Cheibub’s two potential deadlock situations, is a necessary, but not a sufficient predictor of “Actual deadlock”*. In sections 4.3 and 4.4, I point to two triggering factors that can explain how and when “Actual Deadlocks occur. One is the pre-existence of conflicts outside of Congress as e.g. electoral or economic crises. The other is unstable majorities or coalitions. “Actual Deadlocks” can occur despite the governments’ persuasive powers and inter-party alliances. And, when “Actual Deadlocks” occur, cohesion within the parties normally remains strong, and the relative size of

²⁰⁴ With the increasing number of parties, the government also had a decreasing support in the Lower Chamber. Compare table 19 in this chapter and the tables of electoral results in appendix I.

the governing party does not have a significant impact. An “Actual Deadlock” can either be initiated by a political party using deadlock as a political tool for imposing their political views, or it can be an unintended effect of the institutional situation.

4.1 The Government’s persuasion and Mainwaring’s predictive power

Figure 4 showed with an almost perfect inverse relationship between the effective number of parties and the production of laws in Congress, a strong support for the Mainwaring hypothesis.

Why is the Mainwaring hypothesis supported, and not the others? One reason can be methodological. The Mainwaring hypothesis is different because the independent variable, effective number of parties, is continuous, whereas the others are categorical.²⁰⁵ The variable has a finer gradation and its values change over every election. I do not believe the strength of the Mainwaring hypothesis can solely be explained by methodological factors. There is another plausible explanation. Even though there have been strong parties in government and the country is recognised to have a general strong party leadership (Jiménez Polanco 1999), there are from time to time defections from the party line, and some times even expulsions or defections from the parties.²⁰⁶ A government can take advantage of this in order to secure a broader support in Congress. The government also has several tools to convince the representatives in Congress to vote according to their wishes. These increase in power with government’s force in Congress, and vary with the saliency of the political issue at hand.

It is, if not normal, a regular known fact that the government can give personal economic contributions, or bribe, representatives in Congress in order to get out the votes in Congress. This is more normal in the Lower Chamber than in the Senate because the government has been able to hold a majority in the Senate for all years except the 1994-2000 period.²⁰⁷ Pork barrels which

²⁰⁵ They can be made continuous by converting them into dummy variables.

²⁰⁶ Some examples are the PRD-PRI split in 1989, the PLD split in 1992, and in 1994, Senator José Osvaldo Leger followed Fernando Alvarez Bogaert out of the PRSC when the PRSC elected Balaguer as its presidential candidate. In 1998, 10 PRD representatives were expelled for not following the party line in the election of the President of the Lower Chamber. In 2002, the PLD expelled some representatives for voting against the party line and in favour of the constitutional reform.

²⁰⁷ Another reason is probably the size of the Senate. Any attempt of buying off a Senator is more easily discovered, and frowned upon in the Senate. The Senators within a party are more cohesive and have a stronger party discipline (Díaz S. 2003).

is common in the USA, is not used regularly in the Dominican Republic. The representatives' inclination towards accepting bribes in order to support a legislative proposal can certainly improve governability and help avoid "Actual Deadlocks". This is easier the fewer representatives the government has to convince.²⁰⁸ Not all representatives have this inclination, and such attempts can also backfire against the government if the issue at hand is sufficiently salient. This occurred in connection with the "Actual Deadlock" in the 2nd legislature 1998 (see section 4.4). An ex vice-president (1996-2000, PLD) admitted that their administration bribed representatives in order to get support in Congress for their agenda.²⁰⁹ A distinguished Dominican researcher has also admitted to have witnessed direct payments to representatives from the government to buy political support.²¹⁰ One can also ask how it was possible for the PRD administration in 2002 to convince so many PRD representatives to support a constitutional reform opening for presidential reelection. Throughout its party history, the PRD has been staunchly against reelection. Their long time leader Peña Gómez was the symbol and foremost proponent of the anti-reelection thesis. There are clear indications, and also personal testimonies that the government pressured fiercely, tried to bribe, and also succeeded in bribing representatives in order to pass the reform.²¹¹ These are but a few examples of many more of this practice.²¹²

In the sense that this is a normal activity, this helps the government avoid "Actual Deadlocks", and maintain a steady production of laws in Congress. Consequently, this affects the predictions of the various hypotheses. We can only presume that the lower the support in Congress, the more difficult it is to win sufficient votes by this practice. The government would need to convince

²⁰⁸ The 12 year representative and former president of the Lower Chamber (1990-1994) Norge Botello argued that because Balaguer lacked so few representatives to win majority during the 1986-1990 period, he was always able to find a majority through this practice. He also sustained that this practice was regular during the PRD administrations (Botello Fernández 2003).

²⁰⁹ He argued that this was not entirely the administration's fault. Bribing representatives had been practice for a long time, and the representatives often mobilised a hard opposition to government proposals in order to get monetary rewards for changing their views. I must also add that the former vice president himself expressed embarrassment over this practice (Fernández Mirabal 2003). Díaz S (2003) confirmed that this practice was normal. Díaz S. said that the reelection of Peguero Méndez as president of the Lower Chamber in 1998 and the 2002 constitutional reforms were results of such governmental "pressure".

²¹⁰ This incident took place in the Lower Chamber. (Conversation with Dominican researcher, Santo Domingo 2003. I choose not to reveal the researcher's identity).

²¹¹ See Díaz S. in Hoy 03/05-2003.

²¹² For others see e.g. Listín Diario 28/08-2003, 15/12-1998, 23-24/12-1998 for cases regarding bribing of "regidores". See also Listín Diario 15-08-2003 for a description of how a group of PRD representatives took shelter in a hotel to avoid government pressure in front of the election of the presidency of the Lower Chamber.

more representatives the lesser support it has in Congress (Lower Chamber). The government party's support in Congress decreases with an increasing number of parties in the Lower Chamber. Therefore, the Mainwaring hypothesis is better supported by the data material than the other hypotheses. Nevertheless, it is important to add that this is only a plausible explanation. It is impossible to find systematic evidence for this practice. Furthermore, a government cannot base the governability on corrupt practices. The Senators are not easily convinced by such practices, and there are also salient political issues where such behaviour is not possible. These factors help explain why there has been various "Actual Deadlock" legislatures in the Dominican Republic (see section 4.3 and 4.4).

4.2 Creating alliances to improve executive-legislative relations

Since 1990, Dominican governments have tried to create alliances with the opposition. This has stabilised the executive-legislative relations, and can partly explain why the hypotheses do not predict the production of "All Laws" in Congress.

There are normally two ways of creating inter-party alliances in the Dominican Republic. One is by negotiating the presidency of the Lower Chamber, and the other is by negotiating the position of Secretary General of the LMD. The Lower Chamber presidency is important to control the agenda in the Lower Chamber, and the Lower Chamber and the LMD top positions are both sources for patronage and resources for the parties in these positions. In 1990, Botello Fernández (PLD) became the first opposition president of the Lower Chamber. This was an attempt to improve the relations between the PRSC and the PLD, which were not good after the 1990 election. The PLD also obtained the Lower Chamber presidency during the 1994-1996 Balaguer administration, the PRD obtained the presidency with Peguero Méndez during the PLD administration, and the PRSC had the presidency between 1999 and 2003 during both the PLD and the PRD administrations.²¹³

²¹³ The conflicts created by the election of the presidency of the Lower Chamber indicate the importance of this position. The conflicts created party expulsions in 1998 (see below). The 2003 election created strong quarrels between the two candidates' groups. One of these groups even fired shots in Congress to defend their position (Listín Diario 17/08-2003)! The process ended in national and international embarrassment for the Congress and the country. Santo Domingo was seat for the Pan-American Games (PANAM) at the time, and the conflicts were presented all over the world in international media such as The New York Times, El País and CNN.

The LMD has also been a source for alliances although less used than the presidency of the Lower Chamber. The LMD Secretary General is elected every four years by an assembly of representatives in the municipalities. These representatives are elected by the majority of the “regidores” in each municipality.²¹⁴ In 1998, the PLD and the PRSC joined forces and won the January 1999 LMD election by promoting a PRSC Senator, Amable Aristy Castro. In 2003, the PRD joined the PRSC to reelect Aristy Castro. Both elections of Aristy Castro were parts of the governments’ alliance tactics.

The Lower Chamber and the LMD alliances have without doubt improved governability and stabilised the production of laws in Congress. However, they have not been able to prevent “Actual Deadlocks”. Most “Actual Deadlock” legislatures have taken place after these alliances became customary. One problem has been that the Lower Chamber president often has initiated a very close relationship with the government. Consequently, the presidents in the Lower Chamber have lost support and become unpopular within their own party. For instance, Peguero Méndez (PRD), Lower Chamber president 1996-1999, and “Lila” Albuquerque (PRSC), Lower Chamber president 1999-2003, both lost internal support within their parties. The nomination of Botello Fernández was also disputed within the PLD. Botello Fernández had to go behind the back of the strong PLD leader Juan Bosch in order to get elected (Botello Fernández 2003).²¹⁵

The Lower Chamber president normally has a group of affiliates that is politically under his/her control, and can help a government reach the necessary majority in Congress. The fewer representatives the government needs for a majority, the better. The president of the Lower Chamber can also work as a channel of communication between the government and Congress. There is no doubt that Botello Fernández worked hard to improve the relationship between the PRSC administration and the PLD after the 1990 election. There is also a clear line from this alliance to the next PLD Lower Chamber president, Danilo Medina, and the 1996 electoral alliance between the PLD and the PRSC. It is also important for the government to have good

²¹⁴ “Regidor” is the name of the elected representatives in the local assemblies in the municipalities.

²¹⁵ One of the reasons for the dispute was that the PLD, a Leninistically organised, antisystem party with clear socialist tendencies, entered a crisis caused by the fall of the Soviet-Eastern European Communist system. Botello Fernández was a pragmatic politician with the idea of reforming and modernising the party. He sought power against their antisystem ideology. Their “eternal” leader and ideologist Juan Bosch was to say the least, not so keen on that idea.

relations with the President of the Lower Chamber because of his/her almost total control of the legislative agenda. The Lower Chamber President can either stop or “fast-track” legislation in the interest of the government or its partners. For instance, Peguero Méndez, Lower Chamber president 1996-1999, denied putting a resolution proposal on the agenda that urged the judiciary to investigate former PRSC civil servants for corruption (see chapter 6). The presidents of the Lower Chamber can also be helpful in “fast-tracking” important legislation such as the national budget, to avoid legislative obstruction or scrutiny.

These factors have helped keep the central tendency of production of laws in Congress fairly stable, either at a high level or a low level. Therefore, the hypotheses’ predictions on the activity in Congress were not satisfactory. However, we conclude that these factors are aided and work more positively with a lower effective number of parties and with increasing government support in Congress.²¹⁶ This is why the Mainwaring hypothesis is the only hypothesis that predicts satisfactorily the increase and decrease of production of “All Laws” in Congress. These factors have not, however, been sufficient to avoid “Actual Deadlocks”.

4.3 Conflicts outside Congress causing “Actual Deadlocks”

The 1989-1991 and the 1994-1996 “Actual Deadlocks” were the result of conflicts with origins outside of Congress. The 1989-1991 “Actual Deadlock” coincided or was caused by a tremendous economic crisis and an electoral conflict. In 1988 inflation was at almost 60%, and in 1990 it rose to 100% (Moya Pons 2000: 575, 588). The economic crisis was caused by an unlimited issuing of money, lack of financial control, government corruption and withdrawal from earlier IMF agreements (Moya Pons 2000: 569-588, Hartlyn 1998a). The crisis was also caused by the government’s spending to get Balaguer reelected (Díaz S. 1996). Unlike the economic crisis during the Jorge Blanco administration, the economic crisis during the Balaguer administration created an “Actual Deadlock” as well as social protests. There were also social protests during the Jorge Blanco presidency, and the PRD was de facto split in two or three factions at the time. However, the economic crisis did not transplant into Congress. Balaguer

²¹⁶ For instance, the electoral period with the highest standard deviation in the production of “All Laws” is the Fernández administration, 1996-2000 (SD=36.5). This has been the administration with the least party support in Congress, even though this electoral period did not have the highest effective number of parties.

sought a PLD president for the Lower Chamber after the disputed 1990 election to improve executive-legislative relations. The country was in social turmoil, and only if the government could win over a part of the most conflictive, and strongest, opposition party, would governability be secured. This took time, but proved to bear fruits when the PLD after the 1994 election did not support PRD's claims of fraud, and cut a constitutional deal with Balaguer.²¹⁷ After a year of close collaboration with parts of the PLD and aided later by the 1992 formal split in the PLD, Balaguer was able to stabilise and improve the relations with the Lower Chamber (Hartlyn 1998a: 209-211). This led the way out of the "Actual Deadlock" and the PLD split gave Balaguer more leeway in finding support for his legislative agenda.

The 1989-1991 "Actual Deadlock" was, as mentioned, caused by the fierce opposition by the PLD and the PRD during an economic, electoral, and political crisis. It was a joint reaction from the majority opposition in Congress against the incumbent president and an attempt to shorten Balaguer's presidency. Balaguer even pronounced a plan for an early retirement and the calling of new elections in 1992 (Moya Pons 2000: 587). But, since this was not an institutionalised way out of the crisis, as a vote of no confidence could have offered in a parliamentary regime, a solution ultimately depended on the Balaguer's word. His word was never kept. The fixed terms of presidentialism thus prolonged the "Actual Deadlock". In addition, the government lacked quite many representatives to create a majority. This was not beneficial for governability. In the period 1986-1990, Balaguer had been able to exploit the increasing factionalisation within the PRD, and seek support within the conservative Majluta faction, to secure a governing majority.²¹⁸

The 1994-1996 "Actual Deadlock" was a direct reaction to the electoral crisis in 1994. This "Actual Deadlock" also confirms the limitations of the coalition building in presidential regimes. The "Actual Deadlock" lasted two and a half years even though the PRSC administration had "given" the presidency of the Lower Chamber to the PLD. This move did not prevent the "Actual Deadlock". The initiation of the "Actual Deadlock" is caused by the electoral campaign. A large portion of the representatives in Congress were occupied with the campaign and did not work actively in Congress. However, the continuation of the "Actual Deadlock" after the May 1994

²¹⁷ This can also be seen as a payback for the PRD's quick acceptance of the 1990 election, and their denial to support the social protests to get rid of Balaguer.

²¹⁸ In 1990 and 1994, Majluta, leader of the PRI, sought without success to create electoral alliances with Balaguer.

election was a reaction to the electoral fraud. In 1994, post-electoral pacting created an institutional solution to the electoral crisis by shortening the presidential term by two years. This did not immediately reduce the polarisation between the political parties. The “Actual Deadlock” prevailed since the PRSC did not have a majority in any chamber. This further complicated the possibilities for creating coalitions. The PRSC could not cooperate with the PRD, the primary victim of the 1994 fraud, and the PLD only guaranteed the PRSC a majority in the Lower Chamber. The Senate remained at a 50-50 split. The PRD could then use deadlock as a political weapon to force Balaguer to not seek a constitutional reform and reelection in 1996. There are no hard evidences to support the speculations that Balaguer would seek reelection, but the “Actual Deadlock” effectively prevented him from doing so.²¹⁹

4.4 Unstable majorities causing actual deadlocks

The new institutional literature’s focus of explaining deadlocks is on the instability of coalitions (Mainwaring 1993: 200, 220-222, Linz 1994: 34-35, Cheibub 2002: 299-300).²²⁰ In the Dominican Republic, there have been few attempts at inviting opposition parties to enter a government in order to create coalitions. The opposition would not want this clear identification with a government that could or could not be successful. Therefore, other solutions, as mentioned above, have been sought. The instability of coalitions can create “Actual Deadlocks” due to a general weak party system in presidential regimes (Linz 1994). However, I believe as Cheibub (2002) and Mainwaring (1993), and my data suggest, that the instability of coalitions is more likely to occur when there exist more than one possible majority constellation.

Because of idiosyncratic historic peculiarities in the Dominican Republic, there are normally only two party constellations that have the prospects of becoming a coalition. These are between the PRSC and the PRD, and between the PLD and the PRSC. The enmity between the PRD and the PLD after the PRD split in 1972 is still too high to create any coalition between them. The PRSC after 1994 is now established as the third party in the country, and its position is secured by the

²¹⁹ Balaguer serving his 7th term as president certainly would have been the one to try such a thing. Hartlyn (1998a: 258-259) also speculates along these lines.

²²⁰ Linz’s (1994) main argument is really that when there is a deadlock, there is no way of solving it because of the presidentialism’s dual democratic legitimacy and fixed terms. Linz does not primarily focus on the lack of stability in coalition building. However, focusing on the weak party system, Linz argues that unstable coalitions create deadlocks.

coalition incentives in the majority runoff presidential election.²²¹ There are, however, limitations to the Dominican form of coalition building. If the president of the Lower Chamber turns against the government, he/she can personally assure an “Actual Deadlock” at least until the next possible election of congressional presidents.

The 1998 and the 2002 “Actual Deadlocks” were created by the problems of unstable coalitions. The 1998 “Actual Deadlock” was not expected by the Cheibub 1 hypothesis. This “Actual Deadlock” shows the weaknesses of the underlying presumptions of Cheibub’s prediction. For an “Opposition Rules” situation to become a situation of oppositional rule, it would require a joint opposition to stand firmly against the government. This situation, however, is always vulnerable in party systems with three parties to experience what Mainwaring and Cheibub describe as “outbidding” by a third party. The opposition parties would need a very good internal discipline to stay firm against the kind of pressure a government can put on the parties and representatives. Such a firm opposition is not likely in the Dominican Republic where the resources are centralised in the government and, especially, the presidency. Furthermore, for the opposition to “rule” or take the legislative initiative, it would require that the representatives in Congress have the sufficient experience, expertise, financial resources, and infrastructure as offices and computers. These requirements are not met in the Dominican Congress. An “Opposition Rules” situation is highly unlikely, and the 1996-2000 period never became one. Therefore “Actual Deadlock” could occur as the result of unstable majorities.

The PRSC began the electoral period, 1996-2000, as an ally to the PLD administration. And, the PRD controlled the Lower Chamber presidency from the 2nd legislature 1996. However, when such alliances are based on patronage positions, and not on ideology or politics, they are easily broken when the coalition partner in Congress has obtained what they bargained for. When the PRD in the 1998 congressional election obtained a majority in both chambers of Congress, the PLD-PRSC alliance was no longer a majority coalition.²²² This made the PLD government fight desperately to take control over important political institutions (SCJ, LMD, the Lower Chamber and the CdC), under the pretext of balancing the power between the institutions and parties. The

²²¹ And also by the midterm congressional elections.

²²² Actually, the PLD and the PRSC only had 50% of the seats in the Senate until 1998, but Hartlyn (1998a: 213, 253) argues that the coalition won over one PRD allied Senator, and obtained a de facto majority in the Senate.

PLD immediately began working to win over the Lower Chamber president, PRD's Peguero Méndez,²²³ and to take control over the LMD with an alliance with the PRSC. Moreover, in early August 1998, and just before the PLD-PRSC coalition lost its majority with the inauguration of the new Congress, President Fernández took advantage of the President's power to call for an extraordinary legislature. Two cases were on the agenda: One was to remove the lifetime tenure for the SCJ judges; the other was to elect a government friendly CdC. The PRD however, retaliated with its strong majority in the Senate and created an "Actual Deadlock".

On August 5, 1998, Congress passed a law that removed the lifetime tenure of the SCJ judges. This reversed the 1994 constitutional reform, and reintroduced the old system of electing the SCJ judges every four years. The only difference being that the judges could not be removed during their four year period. The potential negative consequences for the judicial sector were avoided when the SCJ in late October 1998, ruled the law unconstitutional. The PRD protested fiercely when Congress passed the law. And PRD's vengeance came just after the inauguration of the new Congress on August 16, 1998. Even though the PRD lost its majority in the Lower Chamber when Peguero Méndez (and 9 other Peguero Méndez followers) allied with the PLD administration, the PRD still held a majority in the Senate. The PRD decided to distance itself from the 1994 inter-party "gentleman's agreement" of electing apolitical JCE judges, and use the Senate's institutional powers to elect PRD friendly JCE judges. Thus, the PRD also avenged the previous PLD and PRSC orchestrated reelection of Peguero Méndez as Lower Chamber president. President Fernández (PLD) answered the PRD by vetoing the law that named the International Airport of Santo Domingo after the extinct PRD leader Peña Gómez, and freezing the monthly budgetary transfers to the newly elected JCE.²²⁴ This crisis worsened throughout the rest of 1998 and culminated in the election of Amable Aristy Castro (PRSC) as Secretary General

²²³ Peguero Méndez was the leader of an organisation originally allied to the PRD, the Bloque Independiente Peñagomista (BIP). This group changed sides from running on a PRD ticket in the elections on May 16 1998, to supporting the PLD administration from July 1998. The PRD expressed in July 1998 that they wanted to remove Peguero Méndez as President of the Lower Chamber because of Peguero Méndez's close relations with the PLD government.

²²⁴ The excuse for not transferring money to the JCE was that the FNP (PLD ally) and the PRSC appealed to the courts to rule the JCE illegal on account of the JCE judges being political. Fernández argued that he could not transfer money to an institution that might be illegal. After long legal hassles, the court ruled in late October 1998 that the government had to transfer the money to the JCE. The government reluctantly accepted the ruling. Nevertheless, the monthly transfer of funds to the JCE remained a problem until February 1999. This example demonstrates the importance of an independent judiciary in a democracy.

of the LMD in January 1999. The election of Aristy Castro was against the wishes of the PRD and broke another inter-party “gentleman’s agreement”: Whichever party had the majority of “súndicos” (mayors) in the country should get the Secretary General of the LMD.²²⁵

The 1998 “Actual Deadlock” demonstrates how shifting alliances create unstable situations, and create “bad blood” and polarisation between the political parties. This can push the institutions into “Actual Deadlock” as occurred in 1998 when Peguero Méndez and his followers left the PRD to support the PLD administration. However, these “Actual Deadlocks”, intentional or not, are only possible if there exists a potential deadlock situation in the relationship between the executive and the legislative. A potential deadlock can be exploited by political parties to punish unwanted government behaviour. The PRD majority in the Senate gave the PRD reactive powers to create an “Actual Deadlock” and proactive powers to elect the JCE.²²⁶ These powers were used to punish the PLD administration. The PRD on the other hand, was punished by its lack of control over its own “regidores”. Some “regidores” were “persuaded” to support the PLD-PRSC candidate for the LMD Secretary General.²²⁷ And, after the election of Aristy Castro as Secretary General to the LMD, the PRSC distanced itself from the PLD administration. The PRD had been successful in the 1998 election and was strong in the polls for the 2000 presidential election. The PRSC quickly understood that in the future, the PRD would have more to offer than the PLD administration. This PRSC move, however, did not create any immediate “Actual Deadlocks”.

The 2nd legislature in 2002 also brought an “Actual Deadlock” crisis.²²⁸ The PRSC, allied with the PRD since the 2000 presidential election, suddenly changed sides and allied with the PLD to gridlock the PRD administration after a disputed reelection in the PRD dominated Senate of the

²²⁵ In the turmoil surrounding this election the conflicts had risen to such a level that the Police and the army took control over vital areas and institutions in the capital, military helicopters flew over Congress, the police surrounded the JCE, and during the PRD led protests, the police shot and wounded one Senator and three journalists.

²²⁶ For an elaboration of the difference between proactive powers and reactive powers, see Shugart & Mainwaring (1997: 41-52)

²²⁷ Rumours of corruption among PRD regidores surrounded this election. See section 4.3.

²²⁸ This section is based on personal observations, interviews during my research stay in the Dominican Republic, and also newspapers reports in *Listín Diario*, *El Caribe* and *Hoy* from August 2002 till March 2003. I do not have statistical data from this legislature, but my qualitative assessment is that there was an “Actual Deadlock”. It is therefore not listed in the statistical material used in section 3. The 2002 “Actual Deadlock” then constitutes the 11th “Actual Deadlock” in the period 1978-2002.

JCE judges.²²⁹ After the JCE election, the PRSC and the PLD quickly announced their withdrawal from Congress. The PRSC switched sides to revenge the JCE election and to win a higher prize in allying with the PLD. This prize could be some representatives in the JCE if their “Actual Deadlock” was effective. The PRD administration was met by the use of the potential deadlock powers in the hand of a joint opposition, searching to strike a blow at the government. The opposition’s source of power was the control over the Lower Chamber presidency and the joint majority in the Lower Chamber. This was enough to stop convening sessions in the Chamber, a prerogative for the Chamber President, and impede quorum (50% of the representatives). The opposition successfully retired, remained firm, and pressed the PRD administration to open up for dialogues on the JCE issue. This “Actual Deadlock” could not have been possible had it not been for the situation described by the Cheibub as an unstable coalition situation, with any combination of two parties creating a majority in Congress.

Two weeks into the crisis, a 14 days dialogue was convened led by the rector of the Catholic University (PUCMM), Agripino Nuñez Collado. The dialogue ended in an agreement between the three major parties. The parties agreed to split the JCE in two chambers, one administrative and the other for litigious matters, and increase the number of judges from 7 to 9.²³⁰ The Lower Chamber remained inactive for a month and a half, and reconvened on November 12, a week after the dialogue was finished.²³¹

It is a general problem with extra-institutional dialogues that they do not have legislative powers, and all agreements would have to pass Congress for legislation. Therefore, the Mejía administration created a law proposal on the JCE issue and sent it to the Lower Chamber for legislation. The Senate (read: The PRD) was offended by the process and expressed that their constitutional right of electing the JCE had been violated. Even after the Lower Chamber had passed the new electoral legislation, there were doubts of whether the Senate would pass it or not.

²²⁹ The PRSC and the PLD had advocated changing these for other, more apolitical judges. When the judges were elected in 1998, the PLD and the PRSC protested and alleged that the judges were PRD politicians. The outcome of the 1998 crisis was an increase of the number of JCE judges from 5 to 7.

²³⁰ This way the opposition parties could get either two of their own representatives in the JCE or two apolitical judges. The split of the JCE into two organs resulted in weakening the powers of the disputed president of the JCE, Manuel Ramón Morel Cerda.

²³¹ President Mejía (PRD) had also in the meantime threatened the Lower Chamber by saying that he would not pay salaries to the representatives that did not work, and he also said that he would rule by decree if Congress did not legislate (Listín Diario 03/10-2003, 14/10-2003).

In this case as in each process of legislation, the Senate had veto power. The veto power would surely have been used had it not been for the country's ongoing economic crisis.

The PRD controlled Senate had earlier passed legislation which opened for 600 million USD of international loans ("Bonos Soberanos") to alleviate the crisis. However, the loans would have to pass in the PLD-PRSC dominated Lower Chamber. Subsequently, the Lower Chamber had veto and threatening power vis-à-vis the Senate. The opposition threatened not to pass any loans or the budget and to withdraw from Congress if the JCE legislation was not passed unaltered in the Senate. This started a game resembling the Chicken game.²³² The threat of not passing the budget would by itself not be sufficiently severe to the PRD Senate and administration since the previous year's budget then would be repeated unaltered. But, with the economic crisis, denying the administration a loan of tremendous proportions was severe enough for the Senate to yield. The dispute lasted for another month and a half, and ended when the Senate approved the JCE legislation, without alterations, on the last day of 2002. Two days later, the Lower Chamber approved the 600 million USD loan. This happened only after there had been various attempts by the Senate to fool the Lower Chamber by sudden postponements of their treatment of the JCE legislation so that the Lower Chamber first would approve the loans. The Senate finally elected the two new JCE members on February 14, 2003, which marked the end of a 6 months long conflict.²³³

It is possible to extract a pattern from the 1998 and 2002 "Actual Deadlocks". When the next election gets closer, alliances become unstable. Calculations of which party stands the best chances to win the next presidential election take place after the parties receive "updated" information on their popularity in the midterm congressional election. In the autumn of 2002 a large part of the PRSC distanced itself from the PRD. The PRSC did the same with the PLD after the 1998 "Actual Deadlock" when the PRD scored high on the polls for the 2000 election.

²³² For an elaboration of the Chicken game, see e.g. Hovi & Rasch (1994: 50-51) and Tsebelis (1990: 61-68). For an elaboration of threats and game theory, severe and credible threats, see Hovi (1998: 11-31).

²³³ The conflict did not fully end with the legislation around New Year. Various senators and the JCE president Morel Cerda argued that the new JCE legislation was unconstitutional. They did not win this battle, and some months later Morel Cerda after many other conflicts, was forced to retire from the JCE.

5.0 Consequences of potential and “Actual Deadlocks”

Potential deadlocks and “Actual Deadlocks” are in the literature believed to have some specific effects on a political regime: They often lead to a changed presidential pattern of behaviour. I have until now looked at “Actual Deadlock” as a dependent variable. However, potential and “Actual Deadlocks” might also have an effect on the political regime. One of these effects is that it can lead to *a breakdown of a democratic regime*. Another is that presidents might try to circumvent Congress in order to sustain governability. This can take the forms of either *an increased use of presidential decrees* or an increased *presidential share of the national budget expenses*.

5.1 Potential and “Actual Deadlock” and regime changes

New Institutional H 1: *Potential (and actual) deadlock has a negative effect on the survival of a regime (democracy).*²³⁴

The previous chapter demonstrated that the Dominican regime 1978-2002 experienced few abrupt changes. In 1982, the Dominican Republic held the first fully competitive election since 1962. In 1994, the elections violated the principles of participation and contestation. This was only a brief change, because the 1996 elections were both participative and contested. Throughout the period 1978-2002 the regime has continuously violated the principle of horizontal accountability. This regime character has survived without any serious attempts at improving the situation. Elections are the common feature of all regime changes 1978-2002.

The “Actual Deadlock” periods were between the 2nd legislature 1989 and till the 2nd legislature in 1991, from 1994 till the 2nd legislature in 1996, and the 2nd legislature in 1998 and 2002. We easily see that the timing of the “Actual Deadlocks” make them hard to connect directly to the regime changes. A possible exception is the 1994-1996 “Actual Deadlock” that preceded the negative regime change in 1994 and the positive regime change in 1996. As I mentioned in section 4.3, it is possible that the 1994-1996 “Actual Deadlock” prevented an attempt from President Balaguer to reform the Constitution and continue in power. However, I find no empirical evidence that the “Actual Deadlock” legislature preceding the 1994 election can have

²³⁴ I specify survival of regime here and only focus on regime changes. In chapter 6, I will discuss the political institutions’ effect on virtuous/perverse institutionalisation and regime stability.

caused the 1994 electoral fraud. The 1989-1991, 1998 and 2002 “Actual Deadlocks” did not create any negative nor positive regime changes. There were other consequences, e.g. police violence during social protests against Balaguer around 1990, left many people dead. And the 1998 “Actual Deadlock” certainly gave many a wake up call with respect to what people believed had been democratic advances since 1994. The positive regime change with the fully participative and competitive election in 1982 was a result of improved democratic behaviour and respect for elections and its consequences. It was not the result of any previous potential or “Actual Deadlock”.

Normally, one would not expect that an “Actual Deadlock” could create a positive regime change. Nevertheless, this possibility should not be discarded. I argued that the 1994-1996 “Actual Deadlock” possibly contributed to a positive regime change in the Dominican Republic. The new institutional theories hypothesise that deadlocks may lead to negative regime changes. But, it is possible to imagine a situation where a conflict between the legislative and the executive over some democratic rights leads to a resignation of a president with a dubious democratic legacy, or to a legislative or constitutional protection of some unprotected civil liberty or political right. An example of this might be Bolivia in 1985 when President Siles Suazo resigned to prevent a breakdown of the democratic regime (Linz 1994: 10).

In my case, however, *I find no support for the new institutional hypotheses that potential or “Actual Deadlocks” have resulted in regime changes in 1978-2002.* As I discussed in sections 4.3 and 4.4, it is more likely that the “Actual Deadlocks” in the Dominican Republic are the result of various types of conflicts initiated outside Congress and the existence of unstable coalitions and majorities, than they are factors creating regime changes. However, there are other possible consequences of potential and “Actual Deadlocks”.

5.2 Potential and “Actual Deadlock” and presidential decrees

New institutional 2: Potential (and actual) deadlock leads to an increased presidential circumvention of congress (increased use of decree).

Presidents can choose to opt for an increased use of decrees when they are not able to pass important legislation in congress. We find examples of this during periods of institutional or

economic crises, e.g. with the introductions of radical market reforms and implementation of IMF demands in Brazil, Argentina, Bolivia, Ecuador and Peru in the eighties (Przeworski 1990: 166, 184, and Conaghan, Malloy & Abugattas 1990: 20-21). These reforms were often promoted by economists and technocrats in the various administrations, who not always had the sufficient respect for democratic procedures. Przeworski (1990: 184) explains: “*Since reformers know what is good and since they are eager to go ahead as fast as possible, political conflicts seem just a waste of time*”.

Carey & Shugart (1998: 12) argued that the counting of presidential decrees is not a valid measure for presidential dominance and presidential circumvention of congress in Latin America. I therefore do not expect any clear relationship between potential or “Actual Deadlocks” and production of presidential decrees.

Since 1978, the Dominican Republic has not experienced a total democratic breakdown as Peru, or implementations of IMF demands or new economic policies by decree as in Bolivia, Ecuador and Brazil. During the economic crisis in the late seventies and early eighties, the Dominican Republic never had such a dominating technocratic and professional economic team, and the economic crisis was never handled with resolute decision making or shock treatment, but rather with irresolute economic politics. During the Jorge Blanco administration (1982-1986), Congress also stopped government initiated legislation opening for external financial help to recover the economy and to fulfil the IMF agreements. Nonetheless, Jorge Blanco did not answer by closing Congress or issue decrees for which he had no legislative support. The result of the disagreement between Congress and Jorge Blanco was a prolonged economic crisis. The institutions although showing signs of deadlock, respected reluctantly each other’s powers, even when the consequences seemed devastating for the economy.

On a general level, minority presidents have not tried to circumvent Congress by the use of decrees. My data indicate that a majority president executes more than twice as many decrees than a minority president, 589 per legislature to 267, respectively. Presidents with a majority in

one chamber issue a mean of 317 decrees per legislature.²³⁵ The mean for the whole period is 353 per legislature.²³⁶ A possible explanation for this pattern is that a president with majority in congress can expect less criticism for an indiscrete use of decrees than a minority president. During the 10 “Actual Deadlock” legislatures, the mean per legislature was 231 decrees, which is significantly lower than the mean for the whole period. *There are therefore no indications that the presidents in the Dominican Republic have overrun Congress and ignored the democratic political procedures by an extensive use of decrees during periods of “Actual Deadlock”.* Furthermore, the vast majority of the decrees regard minor issues, hence the validity of the variable is low, and any real attempt to circumvent congress by the use of decrees would not be captured by measures of the central tendency.

Nevertheless, there have been some instances of conflicts because of presidential decrees. Some of the most controversial decrees have come during majority governments. During the Jorge Blanco (1982-86) administration there were two decree related incidents of major social and institutional impact. In plain economic crisis during Easter 1984, the government tried to implement some IMF recommendations with the increase of prices on essential food products. This led to huge demonstrations, the police overreacted and more than 70 people were killed (Moya Pons 2000: 562). The second decree controversy during the Jorge Blanco administration, was the appointment of vacant JCE judges during a Senate recess (Grullón 1999: 133).²³⁷ This led to strong protests from the Senate’s President, Jacobo Majluta (PRD, later PRI), but it did not create an “Actual Deadlock” in Congress. But, the decree created a crisis during the 1986 election. Majluta, the 1986 PRD presidential candidate, legally objected to the JCE judges and their handling of the elections, hoping to change the judges in the final hour. Majluta’s act would not have been possible, or credible, if it had been the Senate, under Majluta’s presidency, that had appointed the judges. Majluta protested because the counting did not go in his favour. Since the judges had been appointed by decree, he had the perfect excuse for losing the election. The

²³⁵ I have not compared decrees with all possible independent variables since its value as an indicator for presidential usurpation is low. However, since there is little difference between the independent variables in the various hypotheses, the results would be quite similar to that of the minority-majority governments.

²³⁶ Data is collected in Gaceta Oficial 1978-2002. Author’s calculations.

²³⁷ It corresponds to the President to appoint the JCE judges temporarily if the Senate is in recess (Constitución art. 55: 9). The president must inform the Senate of the appointments, and the Senate should later appoint the permanent judges. Jorge Blanco on the other hand, took advantage of the Senate’s recess to pick “friendly” judges, instead of letting the Senate elect them. In this case no later changes were made by the Senate.

objection only led to further confusion and insecurity regarding the elections, which Majluta eventually lost to Balaguer.

Another decree dispute occurred again during an economic crisis.²³⁸ Twice in 2003, the President issued decrees increasing taxes. In February, President Mejía created a surcharge of 10% on imports of luxury goods, including motorised vehicles (decree 139/03). This was a temporary adjustment for three months to increase the country's incomes. And, on June 30, 2003, President Mejía (PRD) issued decree 646/03, which increased the tourist tax for leaving the country from 10 to 20 USD, and created an export tax of 5% of all Dominican products.²³⁹

These decrees were issued surrounding a giant bank crisis (see chapter 4) that erupted in April 2003 and aggravated an already increasing inflation and a strong devaluation of the DOP against the USD.²⁴⁰ Many claimed that these taxes were unconstitutional since it corresponds to Congress to issue taxes (Constitución art. 37).²⁴¹ To confront the critics and avoid an "Actual Deadlock" (the PRD did not enjoy a majority in the Lower Chamber), the President made law proposals of the decrees and sent them to Congress (Listín Diario 10/04-2003, 31/08-2003).²⁴² But, even after these incidents President Mejía continued to issue decrees to increase taxes. The decree 727/03 regarding a transitory 5% tax on export of national goods and services was issued on August 6, 2003. This was after President Mejía had been forced to withdraw his former tax increases.²⁴³ The protests came quickly, and the SCJ annulled decrees 727/03 and 139/03 on October 1 (Hoy 02/10-2003).²⁴⁴

Congress has, after 1994, won a more central role in the politics of the Dominican Republic, but Congress is also aided by an independent Supreme Court. After 1994, the SCJ became politically

²³⁸ This incident happened in 2003, hence after the period studied in this thesis. I include it here since it is the culmination of a long economic downturn and crisis that started at least a year before.

²³⁹ Listín Diario 10/02-2003 and <http://www.presidencia.gov.do/Decretos/2003/646-03.htm>, accessed 22/09-2003.

²⁴⁰ In July 2002 1 USD equaled 18 DOP, in July 2003, 35 DOP and in January 2004, 54 DOP. Banco Central: <http://www.bancentral.gov.do/dolar.html>, accessed 22/09-2003 and Hoy 29/01-2004 (<http://www.hoy.com.do>).

²⁴¹ The PC, FINJUS, the business sector, and all parties in Congress protested. See e.g. Listín Diario 11/02-2003, 10/04-2003

²⁴² I must add that the decrees were implemented before any legislative proposals were made. However, the decree loses effect when sent to Congress as a project of law. At the time of writing the project regarding the export tax is now in the Senate, where it seems like it will not pass.

²⁴³ See <http://www.presidencia.gov.do/Decretos/2003/727-03.htm>, accessed 22/09-2003.

²⁴⁴ The destiny of decree 646/03 would probably have been the same had it not been sent to Congress.

independent and can try the constitutionality of laws and presidential decrees.²⁴⁵ There is no doubt that the president issued these decrees in order to attend the economic crisis efficiently. However, Congress with the help of the Supreme Court made the President yield.

These examples of presidential decrees can explain “*The myth of presidential leadership*” (Linz 1994: 39). Linz (1994: 34-35) argued that strong presidents have to favour weak parties because he could risk losing, or not enjoying, a majority in congress.²⁴⁶ This, however, is not the paradox of presidential powers in the Dominican Republic. Chapter 4 demonstrated the lack of horizontal accountability in the Dominican Republic. This lack of control over government actions certainly gives the president discrete powers. However, in this strength lies the presidents’ weakness. This weakness is directly connected to Congress’s lack of control over the government. As some PRD officials put it in 1998: “*We are against raising taxes under the current Constitution. Article 55 [of the Constitution] gives too much discretion to the President*” (Listín Diario 08/09-1998).²⁴⁷ In my interviews, this view was supported by many representatives in Congress, even by representatives from the official party, the PRD (Vázquez 2003, Bisonó 2003, Rodríguez 2003). The apparent strength of the president is also his weakness when handling economic crises and collection of more taxes is needed. Since deputies in Congress have no control, they cannot be sure that the new incomes for the government will be appropriately spent to handle the crisis, and not spent discretely on other matters.²⁴⁸

²⁴⁵ The independence of the SCJ was also proven during the 1998 “Actual Deadlock”, see section 4.4.

²⁴⁶ Above, however, I found no connection between party strength and production of laws in congress or “Actual Deadlocks”.

²⁴⁷ My translation. Article 55 of the Constitution deals with presidential powers. In 1998, the PRD was in the opposition.

²⁴⁸ This lack of oversight does not only regard the government’s spending of state resources, but also the LMD, (See chapter 4 for a short presentation of the LMD). After the hurricane George devastated the country in the autumn of 1998, Congress (Lower Chamber) denied passing a project regarding a special fund of emergency to help the municipalities work with the crisis. Why? Because of the lack of oversight over the LMD’s distribution of this fund (a project of 3,500 million DOP). The LMD was at the time led by the PRD. The president of the Lower Chamber at the time, Peguero Méndez, called it the “Mariñez project”, after the Secretary General of the LMD. Peguero Méndez did not want to put the project on the agenda because he felt it would only benefit Mariñez personally and politically (Listín Diario 10-12/11-1998).

5.3 Potential and “Actual Deadlock” and presidential share of budget

New institutional 3: *Potential (and actual) deadlock leads to an increased presidential circumvention of congress (increased presidential share of budget expenses).*

Chapter 4 demonstrated the strong presidential dominance in the Dominican Republic, and that there both institutionally and de facto exists a lack of horizontal accountability. The presidential share of budget expenses correlated highly with the discrepancy between the execution of the budget and the congressionally approved budget, i.e. lack of horizontal accountability. We could then also presume that a president could take advantage of the lack of horizontal accountability during potential or actual deadlock situations.

Table 23: New institutional theories and presidential dominance

Hypotheses' expectations:	Hypotheses & independent variables	Mean presidential dominance	Mean horizontal accountability
Lower presidential dominance	LM: Majority government	17.8	23.7
Higher presidential dominance (potential deadlock)	LM: Minority governments	34.6	52.8
	LM: One chamber majority	40.7	71.4
Lower presidential dominance	C1: President rules	17.8	23.7
	C1: Opposition rules	26.9	39.1
Higher presidential dominance (potential deadlock)	C1: Deadlock potential	42.0	72.7
Lower presidential dominance	C2: One party majority	17.8	22.4
	C2: Two parties in Congress	21.3	44.3
Higher presidential dominance (potential deadlock)	C2: Unstable majority	48.7	81.1
Lower presidential dominance	Mean non-deadlock periods:	30.0	48.7
Higher presidential dominance	Mean “Actual Deadlock” periods:	48.3	87.0
	Mean whole period 78-01	33.9	55.8

Notes: Figures in percentage. I do not have data for the year 2002. Mean presidential dominance is the mean percentage of the presidential share of the executed budget expenses. Legislative years and budget years do not correspond. Therefore it is impossible to be correct in the estimation of each president’s share of the annual budget. A president elected at midyear is in my calculations responsible for the effectuation of the budget the whole year. I.e. the budgets from 1978 including 1981 correspond to the electoral period 1978-1982. My calculations show that there are no substantial differences if I lag the budget year and started with e.g. 1979 for the period 1978-1982. Abbreviations: LM: Linz-Mainwaring, C1 and 2: Cheibub. Sources: JCE (<http://www.jce.do>); ONAPRES, National budgets 1978-2002.

Table 23 shows a clear connection between the institutional situation and the presidential dominance.²⁴⁹ For all hypotheses, the presidential dominance and the lack of horizontal accountability are higher when the hypotheses predict it, than in other situations. *My data give a strong support for the hypotheses presented in table 23.* The presidential dominance and the lack of horizontal accountability are also consistently higher when predicted by the hypotheses than the mean for the whole period. The mean of presidential dominance during the “Actual Deadlock” periods is almost as high as for the “Unstable majority” periods (Cheibub’s 2nd

²⁴⁹ The Shugart & Carey model is omitted here since I found no support for their hypothesis in my data.

hypothesis), 48.3% and 48.7% respectively. And, the lack of horizontal accountability has a higher mean, 87.0%, during “Actual Deadlock” periods than any other period, including all potential deadlock periods. The Linz-Mainwaring hypothesis has the least predictive power of the hypotheses. The means of presidential dominance and lack of horizontal accountability are only slightly higher during any of the two types of minority governments than the overall mean.

It is more difficult to evaluate the Mainwaring hypothesis on the same basis of comparing means as done above. Instead, I correlated the effective number of parties with both presidential dominance and lack of horizontal accountability. The correlation between the effective number of parties in the Lower Chamber and presidential dominance is 0.69, while the correlation between the effective number of parties and lack of horizontal accountability is 0.62. These strong correlations tell us that there is an increasing tendency of both presidential dominance and lack of horizontal accountability when the effective number of parties increases. *This is a strong support for the Mainwaring hypothesis.*

What do table 23 and the correlations tell us? They tell us that there is a strong tendency of an increased presidential dominance during potential and “Actual Deadlock” periods, and that presidents seek other methods than decrees to bypass congress. A probable explanation is that while issuing presidential decrees is a procedure relatively open to the public,²⁵⁰ the government and especially the president’s handling of the budget is a quite discrete procedure. *The figures in table 23 constitute a strong support for the various scholars’ claim that in the event of conflict and potential or “Actual Deadlocks”, there is no institutional way of solving the crisis* (e.g. Mainwaring 1993: 208-210). Crisis management in the Dominican Republic has taken the form of a stronger presidential control over the state’s economy. This could be either to implement the president’s policies that otherwise might have been blocked in Congress, or to use patronage in order to satisfy the president’s clientele during economic downturns. Politics in so-called neopatrimonial regimes is dominated by patronage and clientelism (Bratton & van de Walle

²⁵⁰ Presidential decrees are published in the Gaceta Oficial, and (today) the president’s webpages. They are also normally well covered in the press. With the media and political attention on decrees, the president chooses a less public way of centralising powers in his hands. Transferring money from one budget post to another is not a very public affair. Even afterwards it is difficult to obtain the information regarding these transfers. The budgets are easily found in public libraries, but finding the publications of the executed budget is not easy. It is even more difficult to find the annual CdC reports on the execution of the budget. No public library in the capital has these documents. Only the CdC could present them, but many years were missing.

1997:61-68). It is therefore no surprise that an opposition would block government initiatives in Congress because these could be beneficial for the president politically, and for his close friends economically,²⁵¹ especially since Congress has no control over the President's use of resources.²⁵² A president might try to please a majority opposition by toning down elements in the budget that are typical spoils and patronage projects such as construction, and allocations of public contracts. This however, does not mean that the president tries to tone down these practices. It can mean that a president tries to hide them from public scrutiny and congressional oversight. When enjoying a majority in congress a president would not need to hide these elements in the budget, and the budget would consequently be easier to uphold.

To explain the tendency of presidential dominance in the Dominican Republic, the literature has focused on the President Balaguer's personal style and the country's neopatrimonial culture (e.g. Hartlyn 1998a). Chapter 4 showed that Balaguer had a stronger personal role within the government than the other presidents. Furthermore, one can argue that since the Balaguer administrations from 1986-1996 were minority governments in one or both chambers (Linz-Mainwaring H) with no possibility of a veto override (Cheibub1 H), or governments during periods of "Unstable majorities" (Cheibub2 H), the connection between the independent variables and presidential share of budget is spurious. This connection would be better explained by President Balaguer's personal and "semiauthoritarian" style. There is no doubt that his personal style to a certain degree can explain the connection between the variables. On the other hand, it is also clear that Balaguer's style cannot explain the full variance on the dependent variable. The institutional situation still has predictive value. The mean of the presidential share of the budget between 1966 and 1978, all majority governments, was only 35.0%. Between 1986 and 1996, all minority governments, the mean was 50.6%. Thus, the personal style of Balaguer cannot account for the presidential dominance in his second period as President. A major difference between these periods is that after 1986, Balaguer actually confronted an opposition in Congress. *This fact and the figures in table 23, clearly imply that the institutional variables strongly affect the*

²⁵¹ See the examples mentioned in section 5.2.

²⁵² De la Cruz Alvarado (1999: 75-80) confirms this. Furthermore, Congress is not well educated in performing these functions. In 1990 and 1991, a faction of the Finance Committee of the Senate issued a dissenting report on the CdC's report of the government's execution of the budget. However, the Senators misunderstood and evaluated the quality of the report instead of accepting or rejecting the government's execution of last year's budget (De la Cruz Alvarado 1999: 77-78, 88-91)!

presidential behaviour. A president is more likely to take a more personal control and deviate from the budget during a potential deadlock period than during periods when deadlocks are not expected. A president also takes a more direct control when confronting “Actual Deadlocks” than when there are no “Actual Deadlocks”. These are indications of what all the new institutionalists claim: Presidents try to circumvent Congress when they experience potential or “Actual Deadlocks”.

6.0 Conclusions

This chapter has analysed the predictive value of the new institutional theories concerning deadlocks and the effects of deadlocks. Section 3 provided a large-N approach to investigating the predictive powers of the new institutional hypotheses on the production of “All Laws” in Congress and on the occurrence of “Actual Deadlock”. Section 4 was a case study approach explaining my findings in section 3, and section 5 discussed the consequences of potential and “Actual Deadlocks”.

I found that only the Mainwaring hypothesis was supported by my data material regarding the general production of “All Laws” in Congress. The effective number of parties had, as expected, an inverse relation to the production of “All Laws” in Congress. I found two possible factors that could explain my finding. One was that the governments’ persuasive powers annulled the effect of the other hypotheses’ independent variables. A government’s persuasive powers can counteract the effect of e.g. a lost majority in Congress. The increased use of inter-branch alliances in the Dominican Republic was another factor that counteracted the effect of the other hypotheses’ independent variables. The effective number of parties correlates with the government’s party support in Congress. This is a crucial difference between the Mainwaring hypothesis and the Linz-Mainwaring, Shugart & Carey and the two Cheibub hypotheses. I also argued that the effect of the governments’ persuasive powers and coalitions correlated with the government party’s support in Congress. These factors lose effect the less support a government enjoys in Congress.

I found strong support for all the hypotheses except for the Shugart & Carey hypothesis with respect to predicting “Actual Deadlocks”. The Linz-Mainwaring deadlock hypothesis predicted all 10 of the “Actual Deadlock” legislatures. The two Cheibub deadlock hypotheses predicted 9 out of the 10 “Actual Deadlock” legislatures. This showed that a potential deadlock is a *necessary condition* for the occurrence of “Actual Deadlocks”. This is a strong support for the general presumption by the new institutionalists that institutions *do* matter. I found strongest support for the Cheibub 2 deadlock hypothesis. 37.5% of all “Unstable Majority” legislatures were “Actual Deadlock” legislatures. However, this support was not significantly stronger than for the other hypotheses. Therefore, I was not able to distinguish which of the hypotheses had the most predictive power. However, only about 1 out of every 3 Linz-Mainwaring and Cheibub’s potential deadlock legislatures were “Actual Deadlock” legislatures. This showed that a potential deadlock is *not a sufficient condition* for the occurrence of “Actual Deadlocks”. I further analysed the “Actual Deadlocks” and found two factors that could explain how and when the “Actual Deadlocks” occurred. One was the pre-existence of conflicts outside Congress, e.g. the electoral crises in 1990 and 1994. The other was unstable majorities or coalitions. Unstable coalitions can be seen as a prerequisite for the governments’ persuasive powers. However, they are a two edged sword and can backfire as “Actual Deadlocks”: In 1998, the PRD majority in the Senate punished the PLD administration for having won over a group of former PRD allies. And in 2002 the PRSC, allied to the PRD administration, changed sides and supported the PLD in a conflict over the JCE judges.

Section 5 investigated whether the potential and “Actual Deadlocks” had led to any regime changes or presidential circumvention of Congress. I found that neither the potential nor the “Actual Deadlocks” led directly to any regime changes. As expected, there was no link between potential and “Actual Deadlocks” and presidential rule by decree. However, I found that the Presidents during potential and “Actual Deadlock” legislatures increased their share of the total budget and that this was connected to an increased lack of horizontal accountability. The various hypotheses showed only minor differences in predicting the increased presidential dominance. These differences were not big enough to establish which theory predicted this behaviour best. My results strongly support a general presumption in the new institutional theories: Potential and “Actual Deadlocks” lead to an increased presidential dominance. A negative effect of this

dominance is the lack of horizontal accountability in the Dominican Republic throughout the whole period.

1.0 Introduction

This chapter discusses whether the Dominican regime is stable or consolidated, and whether the regime has entered a virtuous or perverse institutionalisation in the period 1978-2002.²⁵³ Chapter 4 showed that the Dominican regime as of today is not fully democratic, but share the characteristics of a delegative democracy. However, the regime can still be consolidated. Chapter 5 focused on deadlocks and the effects of deadlocks. This chapter builds on both the classifications from chapter 4 and the new information on deadlocks in chapter 5. I focus on the influence of political institutions on the processes virtuous and perverse institutionalisation and their role in advancing or preventing a stable or consolidated regime. There are many other factors that can affect a process of virtuous or perverse institutionalisation; some of these were briefly discussed in chapter 2. Acknowledging this, I nonetheless focus on institutional factors. Political institutions' effect on regimes is the focus of my thesis.

Section 2 is a presentation and discussion of former studies of democratic stability and consolidation of democracy in the Dominican Republic. I focus on two validity problems with respect to measuring democratic stability that have tainted some of these studies. Section 3 complements other explanations for the lack of virtuous institutionalisation in the period 1978-1994 focusing on institutions, the nature of the major democratic problems (as identified by other authors), and the central politicians' lack of incentives to reform them. Section 4 analyses whether there has been a process of virtuous institutionalisation after 1994, and whether the Dominican regime is consolidated today.

2.0 The Dominican Republic: A Consolidated or stable democracy?

There are many ways to operationalise a stable or consolidated democracy. Linz & Stepan (1996) talk of a consolidated democracy as a regime where democracy is the “only game in town”. However, this is not a satisfactory operationalisation when studying many cases. Generally, scholars have used *regime continuity* as a variable to establish whether a democracy is stable or consolidated (Mainwaring 1993, Shugart & Carey 1992, Shugart & Mainwaring 1997 and Stepan

²⁵³ I must remind the reader of the conceptual discussion regarding consolidation and virtuous-perverse institutionalisation in chapter 3. In this chapter, I use Valenzuela's (1992) institutionalisation concepts.

& Skach 1994). This is also problematic. Whether or not a democracy is considered stable ultimately depends on which periods the study measures and how many years of democracy that is required to consider the regime stable. And, as I discussed in chapters 2 and 3, continuity is a measure of survival, not stability. The criteria for stable and consolidated democracies are, as I indicated in chapter 3, generally understood within a classical conceptualisation. These criteria come in addition to the criteria that define democracy. For a regime to be considered a stable or consolidated democracy, it must fulfil all criteria for democracy. I argued in chapters 2 and 3 that a regime can consolidate as a subtype of democracy. Many of the studies presented below however, work with democracy as a dichotomy. Thus, this distinction is not relevant for them.

Table 24: The Dominican Republic: A consolidated or stable democracy?

Authors:	Period measured	Type of study:	Criteria		The Dominican Republic
			Stable	Consolidated	Stable or Consolidated:
Stepan & Skach 1994	1979-1989	Vo. MCS	10 years of continuous democracy	10 years of continuous democracy	Yes.
Mainwaring 1993	1967-1992	Vo. MCS	25 years of democracy		No. Not 25 years or not full democracy.
Shugart & Carey 1992	1966-1992	Vo. MCS	2 consecutive elections		Yes
Shugart & Mainwaring 1997	1972-1994	Co. MCS	Continuously democratic 1972-1994		Yes
Higley & Gunther (eds.) 1992, (Sánchez 1992, 1997)	1966-1992 (1996)	Co. MCS (CS)		Regime meets all democratic criteria. Regime is legitimate and has general societal support.	Yes (per 1990 and 1997).
Hartlyn 1998a, Espinal & Hartlyn 1999	1966-1998	CS, Co. MCS		Regime meets all democratic criteria. Regime is legitimate and has general societal support.	No, because of 1994 electoral crisis. Not stable 1978-1994.

Notes: Vo: Variable Oriented, Co: Case Oriented, MCS: Multiple Case study, CS: Case Study. Shugart & Mainwaring (1997: 21) talk about continuously democratic countries, but they also refer to these as stable democracies. I have chosen to understand their continuous democracies as stable democracies. Mainwaring (1993: 204) also makes this connection between stable and continuous democracies. For Stepan & Skach (1994: 119) a stable democracy is the same as a consolidated democracy.

Table 24 presents some studies of the Dominican Republic with respect to democratic stability and consolidation of democracy. The scholars in the top 4 rows of table 24 all consider democratic stability to be nothing more than a continuous democracy, i.e. what I regard to be democratic survival. The table shows that there is no general agreement on how many years a democracy must survive to be considered stable. The Higley & Gunther (eds. 1992) study also shows the difficulties of measuring the forward looking aspect of a consolidated democracy. Two years after Sánchez (1992), in Higley & Gunther (eds. 1992), argued that the Dominican democracy was consolidated the 1994 elections showed that it was not.

Table 24 also shows that Shugart & Carey (1992) view the Dominican Republic as a stable democracy from 1966-1992.²⁵⁴ For Shugart & Carey (1992), democratic stability means holding a minimum of two consecutive elections. According to Mainwaring's (1993: 204-210) measure (25 years of democracy), the regime is not stable by 1993. Stepan & Skach (1994: 122) with their 10 years measure, argue that in the period 1979-1989, the Dominican Republic was a stable democracy. We see that the operationalisation (no. of years) of a concept (democratic stability) affects the conclusions. E.g. Stepan & Skach's evaluation between 1979 and 1989 falls between what has been termed in the literature as two democratic transitions in 1978 and 1994 (see chapter 4). In this case, the timing of the study also affected the conclusion. Shugart & Mainwaring's (1997) study finishes in 1994. They argue that the Dominican Republic was stable for the whole 1972-1994 period. Had Shugart & Mainwaring (1997) ended their study after the 1994 election, their conclusions should have been different. However, Shugart & Mainwaring's approach would not have regarded the fraudulent 1994 election as a breach of democratic stability. I discuss this in the next section.

2.1 Validity problems: The average scale

The use of an average scale to measure democratic stability is problematic. It is not good because a long period of many "good democratic" years can eliminate the "negative" effect of some bad "democratic years". Therefore an average scale also deviates from the idea of democracy as something continuous. Shugart & Mainwaring's (1997) use the Freedom House scale as an average scale.²⁵⁵ Their operationalisation of democratic stability is based on an average score over a period of 22 years of Freedom House's freedom indicator. Freedom House argues that a regime a certain year is "Free", or democratic, if it in that year scores 2.5 or better (lower) on the combined average of the political rights and the civil rights scale. Shugart & Mainwaring (1997) argue that a regime is continuously democratic if it had an average score of 3.0 or better on the political rights scale throughout the period 1972-1994. In fear of creating a too inclusive measure of democratic stability, Shugart & Mainwaring (1997) state that countries that have scored worse than 4.0 on any of the two Freedom House indicators in any year measured, is not continuously

²⁵⁴ What is more, Shugart & Carey (1992: 158, 177) define the Dominican Republic regime as a democratic success as compared to the rest of Latin America.

²⁵⁵ In chapter 4, we saw that Shugart & Mainwaring (1997) use a softer standard for democracy than Freedom House and that their operationalised definition of democracy is not coherent with their theoretical definition of democracy.

democratic, or democratically stable. Although on the average for a longer period the results might be correct, mislabelling can occur for shorter periods. The average scale can "lose" information on the way. The problem of using the average scale in connection with the concept of democratic stability is obvious. If a regime for shorter periods has not met the criteria for democracy, one cannot claim that the regime has been stable for the whole period. Hence, it is not a good measure for democratic stability. A comparison between the Freedom House survey and the Shugart & Mainwaring (1997) study implies that the average scale have affected Shugart & Mainwaring's (1997) conclusions in the case of the Dominican Republic. Freedom House argues that the Dominican Republic was only partly free (semi-democratic) between 1974 and 1978,²⁵⁶ i.e. the Dominican Republic regime was not stable in the period 1972-1994. Shugart & Mainwaring's (1997) average scale loses this information. On an average for the period 1972-1994, the Dominican Republic regime scores are 2.1 and 2.6 for the political and civil rights, respectively.²⁵⁷ Therefore, they can, based on their average scale, argue that the Dominican Republic was a stable democracy for the whole 1972-1994 period. Moreover, their operationalisation of democracy and average measure of democratic stability would also have made them ignore the fraudulent election in 1994. A continuation of their study till 1998 would still have concluded that the regime was continuously democratic in the period 1972-1998. A better approach is Stepan & Skach's (1994) attempt at measuring democracy. They use two worldwide scales on democracy, and require the regime to meet their standards for each year measured. This way they identify "drops" in the value of democracy in one certain year. The same does Freedom House.

2.2 Validity problems: Time as a measure for stability

Regime survival is part of the concepts of democratic stability and consolidated democracy. It is theoretically impossible to argue that a stable or a consolidated democracy is a regime that has survived or has been continuously democratic for a certain amount of years. Shugart & Carey (1992), Stepan & Skach (1994) and Mainwaring (1993) provide three different solutions to using time as a measure for democratic stability (see table 24). Their studies of democratic stability in

²⁵⁶ The Freedom House scores for the years 1974/75-1977-78 were for the political rights and civil rights: 4-2, 4-2, 4-3 and 4-2, respectively.

²⁵⁷ Shugart & Mainwaring (1997: 22) have also miscalculated the Dominican scores. They state that the average scores are 2.2 and 2.0 for the political rights and the civil rights, respectively.

many countries provide them with empirical support for three competing institutional theories on democratic stability. Shugart & Carey (1992) find support for their hypothesis that presidential regimes with presidents with low legislative powers and strong parties are positively correlated with democratic stability. Stepan & Skach (1994) find support for Linz's hypothesis: Parliamentary regimes provide a regime with better chances for democratic stability than presidential regimes. And, Mainwaring (1993) finds that multiparty presidential regimes have worse chances for obtaining democratic stability than presidential regimes with fewer parties. The disagreement between the new institutionalists can be the result of the different operationalisations of democratic stability. If this is so, the connection they find between the independent institutional variables that affect democracy and democratic stability, is spurious. The Dominican Republic might be a special case, but if more cases are affected by the methodological problems of measuring democratic stability, this seriously affects the results of their studies.

Measuring consolidation or regime stability solely on the basis of survival, time or regime persistence can be purely random. It has little to do with the concepts being measured. However, large-N studies measuring stability have few other options. The problem is that the period one measures, as well as how many years one considers to be sufficient for a consolidated democracy, can be decisive in classifying the political regime. I.e. the method is not robust. Stepan & Skach (1994) and Mainwaring (1993) have comparable definitions and operationalisations of democracy. Their discrepant conclusions with respect to democratic stability in the Dominican Republic show that their operationalisations of democratic stability are highly vulnerable to the period they study. If other periods had been chosen, the conclusions regarding democratic stability in both studies could have been different. More importantly, the conclusions regarding the effect of political institutions on the stability of democracy could have been different. This demonstrates that the method has a validity problem. The time criterion might miss or capture waves of democracy or waves of breakdowns. How well or how badly the time periods capture this is bound to have an important impact on the results. The results, correlations and causalities found in the studies might be spurious if these problems are not taken into consideration. This is a significant problem in studies with few cases and might seriously affect the strength of the conclusions. This was demonstrated in the case of the Shugart & Carey (1992) study (see

chapters 4 and 5). Normally, the new institutional works are thorough in their analyses of the independent variables. The dependent variable democratic stability, on the other hand, is taken for granted and rarely discussed.

This methodological problem can have caused the disagreement among the new institutional theories. If the measure of democratic stability is not anchored in any theory, it is easy to design the dependent variable to fit the hypotheses and theories to test.²⁵⁸ To avoid these problems, a better solution for large-N studies is to use the sum of democratic years to measure the effect of political institutions on democratic stability.²⁵⁹ This should avoid the problem of choosing an exact sum of years and a specific time period to study that can produce spurious results. This is also possible with my approach in chapter 4.

3.0 The Dominican Republic 1978-1994

According to Shugart & Carey (1992), the Dominican presidential system before the 1994 constitutional reform was an ideal system for creating democratic stability, and a successful one at that (Shugart & Carey 1992: 177). Shugart & Carey (1992) and Shugart & Mainwaring (1997) argued that the regime was a stable democracy in this period. I argued above and in chapters 3 and 4, that there are several operational problems with their definitions. Even though the 1978 election brought a change of government, the period between 1978 and 1994 cannot be considered to have fostered a stable or consolidated democracy, nor did the country enter a process of virtuous institutionalisation. In this period, the regime only survived, it was not stable.

²⁵⁸ I do not accuse any of the authors analysed here to have done this. I only want to make the point that it is possible to do so.

²⁵⁹ Stepan & Skach (1994: 127) use this measure to establish whether or not presidential regimes more often experience minority governments. This could be used to measure stability as durability of regime. This avoids choosing a specific number of years, which cannot be defended theoretically, and one can choose long time periods as for instance post-WWII to avoid spuriousness. The method also allows us to control for the effect of other possible variables.

3.1 A stable regime or a consolidated regime?

In the period 1978-1994, the regime changed character once, in 1982 with fully participative and contested elections.²⁶⁰ Chapter 4 demonstrated that the regime was a delegative democracy throughout the period, hence not a full democracy. However, the regime could have been stable, fulfilling all criteria of democracy except horizontal accountability. It was not.

In order to be considered as a stable regime, I applied the rule that a regime should have a stable, low probability of breakdown at any time during a period under scrutiny (chapters 2 and 3). This was not fulfilled in the Dominican Republic. The first years after the PRD takeover the country did experience some virtuous institutionalisation with respect to the military, and respect for political and civil rights (see e.g. Hartlyn 1998a). The military, which formerly enjoyed discrete and political power, was quickly put under political control. This control has endured and been respected by the political parties and the military. The PRD administrations cemented and strengthened the respect for civil liberties and political rights. On these two principles of democracy, the country entered a virtuous institutionalisation. Reforms to protect these principles were not necessary, both civilian supremacy and the civil and political rights are protected by the Constitution. This facilitated the strengthening of these democratic features.

The lack of horizontal accountability also showed tremendous stability throughout the period, and despite promises by politicians of the opposite, there was never any real threat to this feature of the regime. Some minor improvements in government behaviour during the PRD administrations were evident (see chapter 4), but the lack of institutional reforms effectively hindered institutional safeguards against this democratic problem.

The problems of democratic stability in the period 1978-1994 surrounded the elections. The elections in 1986, 1990 and 1994 were all surrounded by increasing levels of uncertainty. The electoral crises endangered the survival of the regime. The probability of regime survival one month after these elections was considerably lower than the month before the election. In between the elections the regime remained stable. However, the insecurity surrounding the

²⁶⁰ Most categorisations regard the 1978 election as the transitional election. They argue that the regime met the electoral criteria for democracy in 1978. As chapter 4 showed, these elections were flawed, and the final results cannot on the basis of categorical and objective criteria, be considered to be fully democratic.

electoral process, the lack of confidence in the JCE and the close and contested results left the country with prolonged crises, political negotiations regarding the electoral results, social protests and violence. These crises increased in severity for each election culminating in 1994 when it took 2.5 months to declare a winner of the presidential election. The probability for a regime breakdown was higher surrounding each of these three elections than during any other time of the period. Any regime holding elections must regularise these and the necessary processes surrounding these. If a regime fails to do this, the regime has not been successful at creating a stable environment for one of the most important tasks in a democracy. It is on this aspect that studies that argue that the Dominican Republic was stable, fail to see the difference between survival and stability.

The 1994 breakdown was the culmination of a process of a slow death of the regime that started in 1986. Increasing polarisation between political opponents and within parties, increasing problems with democratic elections and increasing violence in connection to these, were all indications that the regime had not managed to stabilise and regularise democratic elections.

As a consequence of the lack of regime stability, we easily conclude that the regime was not consolidated. This follows logically since regime stability is a feature of the concept of a consolidated regime. Elections were regarded by the political actors as mere proposals for further negotiations. This shows a total lack of acceptance of the fundamental rules of the democratic game.

3.2 Perverse/virtuous institutionalisation

Why did the Dominican Republic between 1978 and 1994 not enter a process of a general virtuous institutionalisation? The problems of a virtuous institutionalisation of democracy in the Dominican Republic started with the 1978 “Fallo Histórico”.²⁶¹ The “Fallo Histórico” was an arbitrary political deal that solved the 1978 electoral crisis by handing the Senatorial majority to the PR. Sánchez (1992) saw this as an evidence of an elite settlement between the PR and PRD party elites. In Burton, Gunther & Higley’s (1992: 22-23) path dependant perspective, such an

²⁶¹ See chapter 4. For a detailed analysis of the 1978 election and the “Fallo Histórico”, see Guerrero (1999).

elite settlement is conducive to a consolidated democracy. Therefore, it is easy for Sánchez (1992) to conclude that the 1978 elite settlement paved the way for a consolidated democracy. Another way to interpret the 1978 political elite settlement, or “electoral transaction”, is through Valenzuela’s (1992: 71) glasses: “*The process of consolidation, or its derailment, ... unfolds through precedent- setting political confrontations that alter or revalidate the institutional and procedural environment in its perverse or beneficent aspect*”. To solve the first conflict in a possible new regime by disrespecting the electorate’s votes, is not a solution that strengthens the procedural features of democracy. To regard the electoral result as a draft for further negotiations does not start a virtuous circle of institutionalisation. On the contrary, the 1978 elite settlement started a perverse institutionalisation with respect to the electoral arena and horizontal accountability. The “Fallo Histórico” sent the message that former administrations were not to be held accountable for their actions and the electoral results were mere points of departure for further negotiations by the political elite. It also sent the message that it was acceptable to solve political conflicts by violating the procedural features of democracy.

By quick presidential decrees in 1978, Antonio Guzmán (PRD) was able to dismantle the old guard in the military and put the military under civilian control. Even though many of the old generals returned when Balaguer returned to power in 1986, there was no fear of a return to a “tutelary democracy” (see chapter 3). The castration of the military was not led by a professionalisation of the organisation, but rather by a tactics of divide and rule. It was possible to successfully subordinate the military without any legislative consent. The military was a presidential domain. This facilitated the process. Furthermore, it was in the politicians’ interest across the party lines, as power seekers, to keep political control over this institution. The control the PRD had obtained was welcomed and continued with Balaguer in 1986. And although there was no virtuous institutionalisation in the sense of creating a professional military, it served the same purposes. This civilian supremacy was also aided by the lack of institutionally created reserved domains in the Constitution. The process of strengthening the civilian supremacy over the military could then easily be initiated and followed through by determined presidents.²⁶²

²⁶² The obvious opposite situation is Chile’s experience after Pinochet. Chile has a constitution that secures military representation in the Upper House of the Congress. See Ensalaco (1994) and Garretón (1995). These are of course difficult to change, although the incentives for bringing the military under civilian supremacy are the same for the politicians in Chile as they are in the Dominican Republic.

The increased respect and protection of civil liberties and political rights is part of the same process as the one described above. Again, the civil liberties and political rights were protected in the Constitution (Constitución art. 8). And even though there were systematic violations of these until the mid seventies (see chapter 4), political control over the military and police further secured these rights. No constitutional or legal reforms were necessary to protect these rights when the PRD administration entered in 1978. The regime change from the mid seventies was a change in political behaviour, not a result of institutional changes. There have been a few incidents of political violations of civil liberties after 1978.²⁶³ Despite these incidents, the problems regarding a virtuous institutionalisation and strengthened respect for civil liberties and political rights did not rest on politically initiated violations of these rights.²⁶⁴ Political and legal immunity for former and actual breaches of these rights and other illegalities given by a politically controlled judicial system in general, assured that there was no stable protection, nor any virtuous institutionalisation of these rights. I deal with the reasons for the lack of virtuous institutionalisation below.

3.2.1 The lack of reforms and virtuous institutionalisation

“Democratic consolidation is impossible without undoing (by deliberate changes or by converting the offending items into dead letter) the formally established institutions that conflict with the minimal workings in a democracy” (Valenzuela 1992: 71).

In two areas, new legislation was needed in order to enter a process of virtuous institutionalisation: The electoral arena (to stabilise and consolidate the democratic criteria participation and contestation) and in the area of horizontal accountability. Although in both these areas reforms were highly needed, only status quo was upheld. The elections went from crisis to crisis, and the lack of horizontal accountability, although showing signs of improvement

²⁶³ Examples are the violent handling of the Easter uprising in 1984, the massive arrests and police violence during popular protests in 1988, 1989 and 1990, and the disappearance of Narciso González in 1994. González was a professor at the Universidad Autónoma de Santo Domingo. He publicly denounced the 1994 electoral fraud at the University. The day after he was arrested, and disappeared. (Díaz S. 1996: 237).

²⁶⁴ I have, despite the apparent democratic problems with a politicised judicial system, argued that the regime respected the civil liberties and political rights of the inhabitants. The respect of civil liberties and political rights criterion focuses on direct violations (circumstantial arrests, political violence or murders, prohibitions of free press etc.) more than on the possibilities of fair trials and prosecutions of criminals. An important factor that facilitated the 1978 transition of power, was the assurance to former power holders that they were given an amnesty for former crimes. This was secured by the deal (“El Fallo Histórico”) that gave the PRSC control of the Senate.

under the Guzmán and Jorge Blanco presidencies (see chapter 4), remained stable. To a certain degree, the lack of horizontal accountability was consolidated by the two PRD administrations by their continued presidential dominance and lack of respect for the national budgets. These two arenas of democracy experienced a perverse institutionalisation that strengthened the deficiencies of democracy in the regime throughout the years.

How did the political institutions prevent the Dominican Republic from entering a process of virtuous institutionalisation? Hartlyn (1998a), Espinal & Hartlyn (1999) and F.D. Espinal (2001) mention two reasons for the lack of virtuous institutionalisation. The first is that the PR's control over the Senate (1978-1982), because of the "Fallo Histórico", enabled the party to block legislation. The second is that the factionalism within the PRD, and the economic crisis during the Blanco administration created an executive-legislative deadlock. Chapter 5 showed that the two PRD administrations did not experience what I defined as "Actual Deadlocks" and that the activity in Congress 1978-1986 was higher than during the later Balaguer administrations. Nonetheless, the PRD administrations never entered a process of virtuous institutionalisation. There are two reasons for this. One is that the reforms required for a virtuous institutionalisation were constitutional reforms, which require a 2/3 majority in the National Assembly. The other is the nature of the reforms required (see below). Regarding constitutional reforms, a deadlock during the PRD administrations 1978-1986 existed. However, it could neither have been the PR's control of the Senate in 1978-1982 nor the factionalism within the PRD 1982-1986 that caused this constitutional deadlock.

The 1978 "Fallo Histórico" gave the PR four additional senators, i.e. a majority. However, for the PRD to have reformed the potential instabilities as e.g. the elections to the JCE and the SCJ, the PRD would have needed a 2/3 majority in the National Assembly. The "Fallo Histórico" did not deprive the PRD from such a majority. The PR senate, however, might have prevented more substantial policy changes, but only once, in 1981, during the Guzmán presidency was the budget rejected by Congress and returned to the presidency.²⁶⁵ And, considering the President's budgetary powers, the PR did not have the required 2/3 majority to prevent any policy goals

²⁶⁵ Guzmán observed (vetoed) this and returned the budget unchanged to Congress, where it was finally accepted. Author's notes from the Gaceta Oficial.

outlined in the budget by Guzmán. But, the PR majority in the Senate effectively stopped investigations and possible prosecutions of corruption and charges of violence against the previous Balaguer administrations. The same argument is valid for the second PRD administration (1982-1986). Although the PRD was factionalised, the PRD only had a majority in both chambers; it did not have the 2/3 constitutional majority. Cooperation with other parties would have been necessary to introduce changes of status quo. Thus, institutionally we cannot argue that the lack of virtuous institutionalisation was a direct result of the PR majority in the Senate 1978-1982 or the PRD internal problems.

Even though the deadlocks were not as prevalent as the literature suggests, I have no reason to doubt Hartlyn (1998a) Espinal & Hartlyn (1999) and F.D. Espinal's (2001) explanations: The PR controlled Senate and the factionalism within the PRD created problems for the two PRD administrations 1978-1986. The PR could block legislation from the Senate in the first PRD period, and in the second factionalism created a de facto minority government. As the new institutional literature suggests, minority governments are more likely to get their legislation blocked in Congress than majority governments. Hence, a change from status quo, required for a virtuous institutionalisation, is difficult to obtain. But, the governmental lack of majority in Congress does not explain the status quo with respect to constitutional issues.

The "Fallo Histórico" and the PRD factionalism are not sufficient explanations for the lack of virtuous institutionalisation during the PRD administrations. An additional explanation is in order. The nature of the changes required with respect to the SCJ, the JCE and the lack of horizontal accountability (CdC & SCJ), all include that one institution which has "all" the power in one area, needs to share power with other institutions in order to accomplish a move from status quo. The Senate has a monopoly of power in the election of the JCE and SCJ (until 1994) judges. The government (president) has a de facto monopoly in economic matters, and in the nominations to the CdC (confirmed by the Senate). When the power holding institution needs to agree upon a change, i.e. has veto power, and their powers are protected by the Constitution, a change from status quo, and a possible virtuous institutionalisation, is extremely difficult to achieve.

The problems of a politicised judicial system and JCE, and also the presidential powers in article 55 of the Constitution were all widely known problematic issues to the political actors in the Dominican Republic. The problem was that all reforms within these areas would require the power institution to agree upon a change of status quo. The Senate was not interested in reforms that would curtail their monopoly of electing the SCJ and JCE judges. Geddes (1994: 90-98) argues that reforms to a merit based bureaucracy in patronage based systems is a prisoner's dilemma game. Even though a merit based bureaucracy can be positive for the country's economy in the long run, all parties win votes on the use of patronage and do not want to reform the system. In order to reform a patronage system, a reform to a merit based system must "punish" each party equally so that no party loses votes compared to the other parties in the process. The same incentives lay before the PR(SC) and the PRD when controlling the Senate. The Dominican history has shown that control over the election of the JCE judges can give an electoral advantage in the next election. A reform would only punish the Senate's majority party and not all parties equally. Since the Senate is elected by a majority in single member districts, it is difficult in a two party system to achieve that both parties are punished equally by a movement from status quo. This was the situation until 1994. The majority party would lose its advantage by supporting a reform, while the other party (-ies) would gain what the majority party would lose. It is a game where it is almost impossible to share future electoral losses and gains between the parties. To elect the JCE only a plurality of votes is required, and with only two parties represented, one party necessarily has the majority.²⁶⁶ In a three party system, a reform can be more likely as long as no single party has the majority. The electoral system prevented a three party system from emerging in the Senate. But, only a minor representation (1 seat) for the third party could be enough to assure that no single party has the majority. However, even in such a situation, a reform is almost impossible since a virtuous institutionalisation would require a constitutional reform.

The same logic goes for the SCJ. Only here the prize for the majority party is not future electoral gains, but amnesty against future accusations of corruption or other illegalities. In this situation, the Senate majority does not act solely on the basis of its proper interests, but also in the interests

²⁶⁶ The exception is of course if both parties have exactly 50% of the seats. There were 30 seats in the Senate from 1986-2002, and 32 from 2002. A 50-50 split could have been possible.

of their administration. Hence, if the Senatorial majority is not the same as the government party the Senate could elect judges that were independent of the government. However, these situations rarely occur in the Dominican Republic. 1978-1982 is the only case before 1994. The 1978-1982 senatorial PR majority elected a SCJ that protected the people from the previous PR administrations. The PR senators had no incentives to professionalise the judicial system since this possibly could open for investigations of corruption within their previous governments. A politicised judicial system can also be in the interest of politicians charged with corruption. The Balaguer (1986-1990) administration charged Jorge Blanco and other PRD politicians with corruption during the Jorge Blanco presidency. The accused politicians then argued that they were victims of a political persecution and that the politicised judicial system would deny them fair trials. This worked as an excuse for corrupt acts.²⁶⁷ The politicians, therefore, have no incentives to reform the judicial system. This lack of reform incentives came on top of the institutional problems of achieving the 2/3 majority in Congress to reform the constitution.

As for the lack of horizontal accountability, one would believe that the Congress would be interested in a movement from the status quo in order to increase Congress's, CdC's, and other institutions' powers to control the government.²⁶⁸ However, it is difficult to see how such a reform would go through without the consent of the President. E.g. President Balaguer was also the leader of the PR(SC). He personally decided which representatives appeared on the PR(SC) lists for Congress. It is therefore unlikely that a representative in congress would vote contrary to the interests of their leader and president. Furthermore, both the presidential powers and the way the CdC is elected are protected by the Constitution. The electoral system made it unlikely that the governing party would acquire less than the sufficient 1/3 of the representatives in Congress to stop a constitutional reform. Institutionally, however, the President does not have veto power in constitutional matters.

²⁶⁷ Hartlyn (1998a: 225) explains with this same logic how the politicised JCE was used as an excuse for the losing candidates in elections. This helped political leaders to stay in power in their parties by presenting themselves as victims of electoral frauds, rather than losers in fair elections. Hartlyn (1998a) calls this the "fraud syndrome". In this same way, politicians accused of corruption can minimise their own guilt and put the blame on political persecution.

²⁶⁸ All the representatives I interviewed in 2003 complained about their lack of control of the government.

4.0 The Dominican Republic after 1994 (1994-2003)

Institutionally, the constitutional reforms in 1994 gave some altered prospects for the possibility of a virtuous institutionalisation of the democracy.²⁶⁹ Before 1994, the Dominican Republic's political institutions had resembled Shugart & Carey's (1992: 198-199, 286) preferred institutional combination with relatively strong parties, a president with low legislative powers (presumably), plurality presidential elections coterminous with legislative elections and a fairly representative Congress (Lower Chamber). After 1994, the political institutions resembled what Shugart & Carey (1992: 173-174) called an "archetypical presidential system". Such a system is characterised by a representative assembly, midterm elections, weak parties, majority runoff presidential elections and two major contenders in presidential elections (in the 2nd round). According to the same authors, this is a "*frequently failed form [of presidentialism]*" (Shugart & Carey 1992: 173).

As the PRD administrations 1978-1986, the PLD administration (1996-2000) promised political reforms and consolidation of democracy. The hopes of international (American?) observers were also high since the new president (Leonél Fernández Reyna) was educated in the USA and had lived large parts of his life in the country. Thus, he represented a new element, or a new way, and a contrast to the old leadership in the country.²⁷⁰ The institutional constraints on the government in 1996 were different from those of 1978. One constraint was the PLD's record low support in Congress (10.8% in the Lower Chamber, 3.3% in the Senate), inherited from the 1994 election.

4.1 A stable or a consolidated regime?

On the basis of nine years, it is difficult to say whether the regime is only surviving, stable or consolidated. Some of the reforms initiated in 1994, e.g. the SCJ and judicial reforms, clearly demonstrate an improvement in the horizontal accountability and also the protection of civil and political rights. The civilian supremacy over the military has continued and been strengthened,

²⁶⁹ See chapter 4 for a description of the reforms.

²⁷⁰ See Spanakos (2000: 528-529). Below we will see that I disagree with Spanakos. Although a new leadership entered with Fernández and later Mejía, the years after 1996 have not indicated that the Dominican Republic has entered a new way of doing politics.

although some disturbing signs have returned.²⁷¹ Little has been done since 1994 with respect to the horizontal accountability. Permanent violations of the national budget indicate that the regime still is a delegative democracy (chapter 4). No reforms to strengthen the powers of the CdC have been initiated. This character of the regime is stable since there are no indications that this will change in the future. A strengthening of Congress is underway. Currently, offices for the representatives are being constructed. But, new offices will not strengthen the Congress if the offices are not accompanied by more resources to enable the representatives to create a group of counsellors or experts to aid them in their daily work.

The quality of the elections has also improved after 1994. After 1994, elections have not been crisis ridden. There have been some complaints, but the flaws in the electoral processes have only been minor. Nevertheless, these advances do not necessarily indicate a stabilisation of the electoral procedures of democracy.²⁷² Since the 1996 election, there have also been fewer “Actual Deadlocks” (2 legislatures), but it seems that these have been more destructive for the regime than before 1994. Presidents Fernández (PLD) and Mejía (PRD) have been more committed to democratic procedures, and have not ignored Congress in the same way as Balaguer regularly did. Balaguer never let the “Actual Deadlocks” paralyse his administrations. Therefore, the “Actual Deadlocks” after 1996 have had a more devastating effect on the daily dealings of the political system than the “Actual Deadlocks” before 1996.²⁷³

In sum, these clear improvements and strengthening of the features of democracy lead us to believe that the Dominican Republic has stabilised and may have consolidated as a delegative democracy. However, in the next section I point to factors that indicate the Dominican political regime is not consolidated and make us doubt whether the regime is stable.

²⁷¹ In September 2003, an army general openly favoured the reelection of President Mejía (El Caribe 12/09-2003).

²⁷² The “Actual Deadlocks” surrounding the elections of the JCE judges in 1998 and 2002 indicate this.

²⁷³ However, we saw in chapter 5 that each crisis increased the presidential dominance.

4.1.1 The Dominican Republic neither a stable, nor a consolidated regime?

Since 1994, elections have been almost flawless, and all political actors have played according to the rules. This definitely indicates that the Dominican Republic is a stable and consolidated delegative democracy. What are the reasons for questioning this?

First of all, there have been no substantial reforms regarding the election of the JCE judges. The politicised JCE was one of the principal institutional factors that led to the increasing levels of electoral crises until 1994. Two minor changes of the JCE were accorded in 1998 and 2002. In 1998, the number of judges was increased from 5 to 7 so that the PLD and the PRSC could get their parties represented in the JCE. In 2002, the JCE increased from 7 to 9 members and was split in two chambers, one administrative and one for litigious matters.²⁷⁴ The increase of members in the JCE followed the same pattern as the electoral reform in 1992, which increased the number of JCE judges from 3 to 5. The result was that the PRSC had a majority of three representatives, and the PRD and the PLD got one each. This model proved its limitations in the 1994 election. The increases in 1998 and 2002 were “necessary” because the gentleman’s agreement from 1994 of electing apolitical judges was, according to the opposition, violated. The increase became necessary to ensure representation for the parties which did not get representation in the JCE. The JCE is still politically elected through the electoral process in the Senate. This weakens the credibility of the institution and the whole electoral process. The “Actual Deadlocks” were partly in 1998 and totally in 2002 caused by the Senate’s election of the JCE. Furthermore, president Fernández’s refusal to transfer money to the JCE in 1998 also shows that the JCE still lacks budgetary autonomy (see chapter 5).

Secondly, the political attacks by the Fernández administration in 1998 on the SCJ’s newly won independence and autonomy showed that the politicians had not learned from earlier experience of a politicised supreme court. However, in the autumn of 1998 the SCJ defended its independence by declaring unconstitutional the law that abrogated the SCJ judges’ lifetime tenure. Since 1998, the SCJ has on numerous occasions demonstrated its independence by ruling

²⁷⁴ The split of the JCE in two chambers can amend the problems identified by Hartlyn (1998a: 225-227) of having a single institution dealing with regulation, arbitration (judicial function) and administration. However, one problem still remains. The judges must still be lawyers, and these do not necessarily have the administrative experience or capacity to organise flawless elections.

against laws and decrees that violated the Constitution. Some of these rulings are of minor importance, but others as in 1998 when the SCJ defended their lifetime tenure, and in 2003 when the SCJ denied president Mejía's attempts to assume the Congressional tasks of taxation, are important rulings. These rulings defended not only the SCJ's independence, but also democratic principles.

Thirdly, the 1998 "Actual Deadlock" caused a very high level of political conflict. However, the 1998 "Actual Deadlock", probably, did not constitute any threat to the regime. Deadlocks are, as the literature and this thesis suggest, normal occurrences in presidential systems, some of which might create breakdowns of a regime. The 1998 crisis was an open confrontation between the three powers of the state. The government and the Lower Chamber were in conflict with the Senate and the SCJ. The institutions fought over the control of the SCJ, the JCE, the LMD and, partly, the CdC. The PLD administration wanted to control the SCJ by removing the judges' lifetime tenure and it wanted to control the LMD by removing the PRD's LMD General Secretary. In order to secure a "friendly" accounting agency, the PLD administration got the Senate to elect a new CdC on August 14, 1998. This occurred just two days before the inauguration of the new Congress which brought a PRD controlled Senate. The Senate and the PRD after August 16, tried to defend the SCJ, and retain control over the LMD. The LMD fight brought charges of corruption and bribes, elections of two different general secretaries, legal accusations, demonstrations, de facto state of emergency in the capital and several persons hurt after confrontations between demonstrators and the police.²⁷⁵ The PRD protested against the hasty election of the CdC.²⁷⁶ As a payback for the CdC election, the PRD Senate elected a PRD friendly JCE. This election was attacked by the other parties and brought economic sanctions against the JCE by the PLD administration.

²⁷⁵ This de facto state of emergency included military and police control over important institutions in the capital, military helicopters flew over Congress, and the JCE was besieged by the police. I call it a de facto state of emergency, since a state of emergency never was proclaimed. To proclaim a state of emergency is a congressional prerogative (Constitución art. 37:7). However, the President can proclaim a state of emergency when Congress is not convened in legislatures (Constitución art. 55: 7). President Fernández had called for an extraordinary legislature at the beginning of 1999, so if a state of emergency had been proclaimed, it should have been proclaimed by Congress. Therefore, President Fernández's actions bordered on being a violation of the Constitution.

²⁷⁶ Listín Diario (19/08-1998) brought testimonies from various senators that they had not even seen the CVs of the judges they elected to the CdC. This shows the hastiness of the process. A new CdC had to be elected before the inauguration of the new Congress on August 16.

The regime did remain stable, despite the incidents cited above. But, the actions taken by the political actors were not in accordance with the rules of the democratic game, and demonstrated the fragility of the Dominican delegative democracy. The political parties, and especially the PLD administration, showed that they were not willing to abide by the rules of the democratic procedures as long as this meant that they would lose political positions and power. The PLD administration did not accept the newly elected JCE judges. The administration did everything, including bribing and buying “regidores”, to win the LMD quarrel. When the PLD administration just before the inauguration of the new Congress, pushed through important issues as the SCJ law and the election of the CdC, it showed disrespect for the congressional election on May 16, 1998. The PRD, on the other hand, also broke the “gentleman’s agreement” from 1994 by retaliating against the PLD administration with the election of the JCE. Finally, it was the SCJ’s “self defence” as an institution that saved the greatest institutional advance from 1994 (judicial independence and autonomy). The actions taken by the political parties during this crisis were not intended to further internalise the norms of democratic procedures, and the actions hindered the reproduction of democratic procedures.

Fourthly, the parties’ disrespect for the electoral results has been proven on several occasions. One example was, as we saw above, the 1998 rush to approve a new CdC and eliminate the lifetime tenure for the SCJ judges. Another was the Constitutional reform in July 2002 opening for one immediate presidential reelection. The reform was designed to open for a reelection of President Mejía (PRD).²⁷⁷ As in 1998, the reform proceeded in a hurry after the congressional election on May 16, 2002. The PRD had lost its majority in the Lower Chamber in this midterm congressional election. With full knowledge of future positions, the party easily made the calculation that it was easier to reform the constitution before the inauguration of the new Congress. It would also be easier to persuade the representatives leaving Congress to support a constitutional reform, than to persuade the representatives entering in August. The representatives leaving Congress did not have much to lose by breaking party discipline. Evictions from the PLD

²⁷⁷ This happened after numerous public anti-reelection statements from President Mejía. These statements and his attempt to get reelected resemble earlier statements from Balaguer and Trujillo. These two former presidents/dictators were also publicly against reelection, but always seeking it. See Espinal (1994: 108) for Balaguer’s statements against reelection, de Galíndez (1999: 47) for Trujillo’s, and Díaz S. article in Hoy 26/04-2003 for some of Mejía’s statements.

was not an effective threat against members leaving Congress, neither was a possible loss of voters for the PRD.²⁷⁸

And fifthly, there are some tendencies during the Mejía administration that are not compatible with a consolidated democracy. These are “minor” incidents such as provocative arrests of journalists who criticise the government, several corruption scandals (e.g. Pepe Goico, see Rumbo no. 462 & no. 464, 2002) and enormous bank scandals implicating the government (Baninter). President Mejía also fired the entire CdC after the CdC president had criticised the Mejía administration’s execution of the budget. Congress has also performed several discomfoting acts such as protecting the immunity of a PRD representative accused of illegal trafficking of Chinese over the Haitian-Dominican border.²⁷⁹ The election of the new presidency in the Lower Chamber in August 2003 was very controversial. PRD’s Alfredo Pacheco challenged the incumbent Lila Alburquerque (PRSC). Lila Alburquerque lost, and some of her followers fired gunshots in Congress. Furthermore, the party system is in crisis. The 2002 Constitutional reform and President Mejía’s decision to seek reelection have created an internal crisis in the PRD. The PRD is split into, at least, three factions.²⁸⁰ The death of Balaguer in 2002 and a problematic internal presidential primary in the PRSC in the spring of 2003 has created a crisis and de facto split in the PRSC as well.

These examples do not indicate by themselves that the regime is not stable, and even though there are doubts surrounding the JCE, there is no direct reason to believe that future elections will return to the perverse processes experienced before 1996. On the other hand, the incidents show that the politicians are still willing to break or bend the rules in order to win political positions.

²⁷⁸ Since the PRD traditionally was an anti-reelection party, the PRD could have expected a loss of voters in future elections on this reform.

²⁷⁹ This PRD representative was Consul in Haiti when the alleged trafficking occurred. He was elected to the Lower Chamber in the May 2002 congressional election. Since August 2002 he has been protected by the immunity granted to representatives of Congress by the Constitution. The immunity can, however, be lifted by Congress. The Constitution protects the representatives only during the legislatures (Constitución art. 32). In between the legislatures, the representatives are not protected by the immunity. Therefore, the PRD representative has had a tendency to “disappear” in between legislatures, only to show up when the next legislature starts.

²⁸⁰ In December 2003, one faction of the PRD organised one convention for electing their presidential candidate. This convention was later invalidated by the JCE. In January 2004, President Mejía’s PRD faction, PPH (Proyecto Preidencial Hipólito), organised another convention to elect the party’s presidential candidate. And, there are serious attempts by two of the three factions to implement the so called “Ley de Lemas”. This law proposal would allow each party to run up to five candidates in the presidential election.

The actions of the politicians, not only the government, still resemble the game of neopatrimonial politics, which dominated before 1996 (Hartlyn 1998a). The quarrels after 1996 have been around many of the same issues as before the “new transition” in 1996. The politicians’ lack of acceptance of and behaviour according to democratic principles and their consequences, is not compatible with a consolidated democracy, not even with a consolidated delegative democracy.

4.2 Perverse/virtuous institutionalisation

Why has the Dominican Republic failed to consolidate? Have the constitutional reforms in 1994 had any effect in this respect? One of the major problems is the lack of reforms of the way the JCE is elected. This was not touched by the 1994 crisis reforms. The intention was that the Constitution was to undergo a comprehensive revision at a later, more democratically stable, stage. Yet, except the minor change in 2002, other reforms have failed to materialise.

One (almost) unintended effect of the deal that shortened Balaguer’s presidential term was the creation of midterm congressional elections. Another reform that had been wanted, and needed, for a long time, was the reform of the election of the SCJ. In 1994, this reform was possible since the consequences of the lack of reforms (total breakdown of the regime) were worse for the politicians than the consequences of a judicial reform (possibility of legal prosecutions of illegalities performed by politicians/bureaucrats in office). Furthermore, possible legal actions against e.g. corruption during the Balaguer administrations were effectively hindered by the congressional PLD/PRSC majority in 1996.²⁸¹ The de-facto pardoning of former Balaguer administrations was a first effect of the electoral reforms with a two round presidential election with a 50% threshold. Fernández and the PLD, runner up in the first round election in 1996, needed an electoral partner. The PRSC was the potential partner.²⁸² The effect of the 1994 reforms was the same as the “Fallo Histórico” in 1978: There were to be no investigations of corruption or other illegalities against Balaguer and his administrations.²⁸³ This message is not

²⁸¹ Congress passed resolutions that approved all executive action since 1990. In 1998, Peguero Méndez, the Lower Chamber president, denied putting on the agenda a resolution proposal calling for judicial investigation of civil servants during the Balaguer administrations. See chapter 5.

²⁸² Balaguer had early on pronounced that he supported PLD’s Fernández in the presidential run in 1996 and not the PRSC candidate, and former vice-president 1994-1996, Jacinto Peynado (Sagás 1997).

²⁸³ Investigations and judicial processes have been underway in the cases of the murders and disappearances of the journalists Orlando Martínez in 1975 and Narciso González in 1994. Balaguer was called as a witness to these trials,

good for creating accountable governments and it is not intended to “...*permit the reproduction of the minimal procedures of democracy*” (Valenzuela 1992: 62). A shift from status quo and away from a delegative democracy would require an opening up for such investigations. On the other hand, a lack of such investigations might be necessary for convincing previous power holders to yield their positions. This was the case in the 1978 and 1994 crises negotiations. The paradox is that what might be required for a peaceful transition of power is negative for a virtuous institutionalisation of democracy. In that respect, as Linz (1994) expected, the two round elections in 1996 helped to lower the polarisation between the parties, especially the PLD and the PRSC. However, it became an obstacle for a shift from the status quo.

The 1994 reforms also led to a government with a record low support in Congress, and made the PLD administration even more dependant of the PRSC. This further prevented the Dominican Republic from taking a new way. Wiarda (1998: 192) writes: “...*Balaguer thus retains a hammerlock on the political process through his ability to exercise veto power over all legislation*”. Balaguer was enabled to keep this “hammerlock” because of the reforms in 1994, and considering Balaguer’s ambivalent sentiments for an institutionalised democracy, these reforms were not immediately positive for a virtuous institutionalisation of democracy. In order to win support from the PRSC and use Balaguer to legitimise his politics, President Mejía followed the same pattern of behaviour as Fernández. But, the PRD administration had a stronger congressional support than the Fernández administration and had the upper hand in the alliance with Balaguer and the PRSC.

Another negative effect of the midterm congressional elections has been the instability of coalitions (see chapter 5), and also the fact that the country now experiences constant electoral campaigns (Espinal 2001). This last effect is further strengthened by the internal elections in each party to win the nominations for Congress and the presidency. These constant electoral processes are very time consuming, time that otherwise could have been used to work within the political institutions to deal with important issues. *The daily workings of the politicians have become*

but failed to appear. The cases are, as far as I have been able to find out, still pending in the court system (Amnesty International Report 2003. Dominican Republic.) There have been investigations and also judicial procedures in other cases, especially against the Fernández administration. However, most of these cases have not led to anything beyond initial hearings, and freedom on bail for the accused (see Ahora No. 1296, 2003). Congress has also been embarrassingly slow at treating anti-corruption laws initiated by the Mejía administration (Listín Diario 27/10-2003).

elections (the game itself), not making politics. The instability of coalitions have created “Actual Deadlocks”, but also led to short sighted politics. The time horizon for politicians is now two years. Calculations within each party of future gains and losses in elections have become constant. This has led to either postponements of reforms, or a rush to pass legislation before losing control of either the presidency or Congress. Furthermore, because of the midterm congressional elections, governments are likely to lose support midterm, or not have a majority when elected.²⁸⁴ This makes stable alliances even more important for the governments, but paradoxically more difficult to obtain.

Since governments do not need a majority base in Congress to survive, a presidential system is not good for creating alliances (Linz 1994, Mainwaring 1993). To break a political alliance with a government does not have as severe consequences in a presidential system as in a parliamentary system. In the Dominican Republic, the presidency of the Lower Chamber is elected each year. This further destabilises coalitions in the Dominican Republic. A coalition partner will then consider whether or not to stay with the government depending on its own and other parties’ results or future prospects in elections. Lack of ideologies makes any coalition partner always go with the highest bidder, and the next potential winner of the grand prize (the presidency). This is not a good environment for implementing necessary reforms, and creating a consolidated democracy. On the other hand, it seems that this process has lowered the polarisation in the political system, contrary to the expectations of Mainwaring (1993) and Shugart & Carey (1992). But, this can also just as well be an effect of the lack of ideologies, and the death of the three “caudillos” Peña Gómez (1998), Juan Bosch (2001) and Joaquín Balaguer (2002).

In one respect, Spanakos (2000) is correct: The Dominican Republic entered a new way in introducing fair elections after 1994. But, this “new way” does not constitute a virtuous institutionalisation. No reforms regarding the way the JCE is elected were initiated. One of the reasons for the flawless national elections was the senators’ election of the consented, non-political and professional JCE that organised the 1996 election. Another reason is that there has

²⁸⁴ Shugart & Carey (1992: 226-258, 266) demonstrate that congressional support for presidents tends to fade in midterm congressional elections. Midterm elections are also favourable for “third parties”. This means that governments depend more on coalitions under this system than under plurality presidential elections with concurrent electoral cycles. The PLD’s increased support in the 1998 congressional election was an exception, but not surprising considering its low electoral support in 1994. See appendix I for electoral results.

not been close races between the two top presidential contenders, but this could change in the future.

In 1994, the distribution of seats in the Senate prevented a crisis in the election of the JCE. The 1994 election and subsequent dealings (Díaz S. 1996), gave no absolute majority to any party in the Senate. The PRD received 50% of the seats, PRSC 46.7% and PLD 3.3%. This, alongside the recent experiences and international pressure (Hartlyn 1998a: 261), was vital in order to elect a broadly accorded JCE. Since no party had a sufficient majority in the Senate to elect “their own” party dominated JCE, an inter-party agreement was possible. The unlikely event of a shared majority in the Senate occurred as an effect of the PRSC’s strenuous effort to avoid a PRD absolute majority (Díaz S. 1996: 175-189).²⁸⁵ The electoral results in 1998 and 2002 showed, as I discussed above, that a shared majority in the Senate is unlikely to be repeated. And disputes and crises surrounding the JCE again became the norm, as it was before 1994. The Dominican Republic had a golden opportunity to agree upon a reform in the elections of the JCE during the period 1994-1998. With no single party in total control of the election of the JCE, such reforms would have “punished” the parties equally. However, the lack of reforms demonstrates how difficult it is for an institution to agree upon a curtailment of its own powers. And, even though the electoral processes after 1994 have been satisfactory, the accusations of fraud after the congressional election in 2002 showed that the lack of JCE reforms again can lead to crisis-ridden elections.

In addition to the elections, another positive element is that the Fernández administration was able to pass and implement important legislation as the new electoral law (Law 275/97),²⁸⁶ the privatisation of the state enterprises (Law 141/97), the creation of the CNM (Law 169/97), and the law regarding the creation of a judicial career system (Law 327/98). This “reform eagerness” was probably an effect of the banning of presidential reelection in 1994, creating a sense of haste for the president to create reforms identified with his time in office. Contrary to what Linz (1994:

²⁸⁵ It is a paradox that it was the PRSC’s disrespect for democracy and its post-electoral efforts to deprive the PRD from a senatorial majority that created this virtuous situation in the Senate. Díaz S. (1996) asserts that the PRD lost one senator to the PLD in this process. This was enough to deprive the PRD from a majority in the Senate.

²⁸⁶ New elements in the Law 275/97 were public financing of political parties, suffrage for Dominicans in the exterior, preferential voting for the Lower Chamber and gender quotas on the party lists to the Lower Chamber. For an evaluation of the reforms and expectations of future effects of the reforms, see Participación Ciudadana (2002) and Espinal & Jiménez Polanco (1998).

16-18) believed, this had a positive effect for the Dominican regime, and led to a short continuation of a virtuous institutionalisation with respect to the judicial system. This virtuous institutionalisation paradoxically came under attack in 1998 by the same Fernández administration (see above and chapter 5) with its attempt at abrogating the lifetime tenure of the SCJ judges. However, the virtuous institutionalisation was effectively defended by the new, autonomous judicial institutions. The negative effect of the no reelection has been the eternal debates during both the Fernández and Mejía administrations to allow for at least one reelection under the pretext that the regime now was consolidated, and the fears for “continuismo” (read: Balaguer) were now gone.

Has the new institutional environment created different incentives for the political actors with respect to reforming the system? Many of the challenges for providing a horizontal accountability are still the same. The four year terms and the way the JCE and the CdC are elected are protected by the Constitution (Constitución arts. 23 & 80). The president’s power is protected by the same Constitution’s article 55. Hence, it is not easier to reform these areas now than before 1994. But, the incentives for reforming them might be different. The new institutional system with midterm election and two-round presidential elections combined with the increased, unstable, inter-party alliances have had a negative effect on the incentives for creating a powerful CdC and a more accountable government.

Why? Before 1994 there was a much clearer competition between the political parties for the resources of the state. Now, with a sharing of these resources through changing alliances combined with a still vital patrimonial culture and widespread corruption, all parties have stakes in the power. The incentives for opposition parties to focus on corruption and strengthening of institutions that can control the government are therefore lower. This was proven in April 2003 by the detonation of the recent Baninter bank scandal, and the arrest of the owner of the Baninter financial system. The political parties, even the opposition, did not express any criticism towards the owners of the bank. The Central Bank did not rule out that *all* political parties had received monetary support from Baninter. This financing of politicians in all the major parties probably contributed to the extreme size of the scandal.²⁸⁷ Leaders from all parties were quick to visit the

²⁸⁷ The values lost in the bankruptcy constituted about 25% of the size of the GNP! See chapter 4.

owner of Baninter in prison, and show their solidarity with him.²⁸⁸ The new institutional system thus seems to have created a common destiny for the major political parties, where there is little interest for providing public scrutiny.²⁸⁹ We identify the same pattern with the public financing of political parties, and the lack of control over the use of these resources (Espinal & Jiménez Polanco 1998, Duarte 2002). Not only has the party system become a cartel system, but the state has likewise become a cartel. The three major parties have monopolised competition for the state's resources, and is to a certain degree, also sharing its resources. This is only to a certain degree, since the presidency has such immense resources compared to other institutions. However, the tendency of the presidential election being a zero sum game or a "winner takes all" is weakened. If we follow Geddes's (1994) logic, since all parties stand to lose equally this should mean a higher probability for reforms towards a merit based civil service system, an increased horizontal control over the public finances, or a JCE reform. However, Geddes (1994) assumes that the politicians see the country's general economic development or virtuous institutionalisation as more important than their own fortunes and possibilities for getting elected. This assumption seems not to be correct if one is to judge by the political events in the Dominican Republic since 1994. Therefore a further virtuous institutionalisation including the area of horizontal accountability is unlikely.

5.0 Conclusions

I argued that the Dominican Republic was neither stable nor consolidated, not even as a delegative democracy between 1978 and 1994. The electoral crises showed that the electoral features of democracy (contestation and participation) were not stable. The presidential behaviour with respect to other institutions and the lack of horizontal accountability showed that not all political actors behaved according to the democratic rules. *The Dominican regime 1978-1994 was a surviving, but unstable, delegative democracy that failed to enter a process of virtuous institutionalisation on some features of democracy.* The period is best described as a period of

²⁸⁸ Read Díaz S.'s articles in Hoy, 20/05-2003, 31/05-2003 and 14/06-2003 for a good presentation of the details of the scandal.

²⁸⁹ Pérez (2002: 231) argues that the political class is intimately joined with the business interests. Mainly because most of the national politicians, as well as local politicians, continue with their private work while in office. Politics has then become one of the main sources for accumulation of capital for business in the country, and being in office has become a good point of departure for starting a business. The Baninter incident confirms Pérez (2002) argument.

slow death of democracy as O'Donnell (1992) depicts it. The regime's ever increasing deterioration of the minimal procedures of democracy led towards the slow death of the delegative democracy in 1994.

I showed that previous explanations that pointed to the "Fallo Histórico" and the increasing conflicts within the PRD 1978-1986 as reasons for the lack of virtuous institutionalisation were not sufficient explanations. For the changes needed to create institutions that "*permit the reproduction of the minimal procedures of democracy*" (Valenzuela 1992: 62) constitutional reforms would have been necessary. The PRD would not have enjoyed the constitutional 2/3 majority even with a totally fair election in 1978 or as a united party 1982-1986. Reforms to create and assure reproduction of the democratic criteria contestation, participation and horizontal accountability, would have required constitutional reforms regarding the election of the JCE, the CdC and the SCJ. I also focused on the lack of incentives for the Senate to initiate such reforms, and the fact that the Senate as an institution had the veto power to stop a shift from status quo. The senatorial plurality elections in single member districts also lowered the possibility of initiating such reforms because it made power sharing in the Senate very unlikely.

In the period after 1996, *the Dominican Republic has been a stable, delegative democracy, but has failed to consolidate*. After an initial virtuous institutionalisation in the prolongation of the Constitutional reforms in 1994, the reform interests died out. The political institutions still provide the politicians with a lack of incentives for providing a change of the status quo. In many areas, a virtuous institutionalisation still requires constitutional reforms. The lack of incentives has been further strengthened by the new institutional environment, by creating a shared interest for all the major parties in freezing the regime as it is. Only in 1994, when the consequences of a lack of a change in the status quo were worse than keeping status quo, were reforms possible.

Behaviour typical for patrimonial systems has continued after 1996, and the political actors showed several times that they were not prepared to accept the consequences of the principles of democracy. However, the regime has stabilised as a delegative democracy, but the latest incidents during the Mejía administration have made me doubt this judgment. The elections have been well organised and almost flawless. This might be a false stability because of lack of real reforms in

the JCE. However, I still regard the regime to be stable. On the other hand, lack of acceptance by central actors of the existing features of democracy, prevents the regime from being consolidated. And the new institutional system has made a virtuous institutionalisation and a Dominican democracy without adjectives less likely.

1.0 Concluding remarks

The goals of this thesis were to highlight theoretical and methodological problems with classifications of democracy and institutional studies of regime stability and consolidation of democracy. I used the case of the Dominican Republic to shed lights on these problems. The Dominican Republic was chosen because it has proven to be a difficult case to classify. Therefore it was an ideal case to investigate theoretical and methodological aspects of such studies. Even though this has been a case study, theory and especially method were central aspects throughout the thesis. However, I also presented new empirical findings in the case at hand. These new empirical findings were part of my effort to discuss and present new indicators to classify political regimes and new variables to evaluate the strength of the new institutional theories discussed in chapter 2.

1.1 Presentation of central findings

Chapter 4 discussed former regime classifications of the Dominican Republic from 1966-2002 with respect to its presidential system and democracy. The point of departure for this chapter was Shugart & Carey's (1992) argument that *presidential systems with strong parties and presidents with low legislative powers* were more democratically stable than other presidential regimes. They argue that the Dominican Republic was one of these democratically successful regimes between 1966 and 1992. I reassessed Shugart & Carey's (1992) evaluation of the Dominican president's powers and found that *the Dominican president enjoys high legislative powers*. I also discussed former regime classifications of the Dominican regime 1966-2002. I found a strong discrepancy between the studies in the classification of the Dominican regime. One reason for this discrepancy was theoretical: Various scholars defined democracy differently which led different classifications. Two other reasons for this discrepancy were validity problems: Some studies did not have corresponding theoretical and operationalised definitions of democracy. The other reason was the scholars' various coding rules concerning when they consider democracy to start. In chapter 4, I classified the Dominican regime from 1966-2002 using my extended minimal definition of democracy and regarding democracy as a graded concept. According to my definition, the Dominican regime 1966-2002 was not a full democracy. The advantage of my approach as compared to e.g. Mainwaring et. al. (2001) who also applied a graded

conceptualisation of democracy, was that my graded conceptualisation of democracy enabled me to distinguish between various types of semi-democracies according to which democratic criteria the regime was missing. Finally, in the summary of chapter 4 I showed that whether one decides to understand democracy as a graded concept or as a dichotomy also affects regime classifications. My approach was pragmatic and enabled us to understand democracy both as a graded concept and a bounded whole. However, for my labelling of regimes, I preferred using a graded concept. My pragmatic approach was possible because I evaluated each criterion for democracy separately and for every year in the period studied. This is easier to do in a case study than in small or large-N studies.

Chapter 5 studied the effect of institutional variables on the Dominican regime from 1978-2002 and compared the predictive value of the institutional theories discussed in chapter 2. I introduced two new, complementary dependent variables: The production of “All Laws” in Congress; and “Actual Deadlocks”.²⁹⁰ These were designed to capture the relationship between Congress and the government. *With respect to the first dependent variable, I only found support for the Mainwaring hypothesis.* I explained this finding by presenting two other variables that also affected the general production of “All Laws” in Congress. *The governments’ economical persuasive powers and an increased use of coalition building helped the governments maintain a steady level of production of “All Laws” in Congress.* These variables almost annulled the effect of political institutions on the production of “All Laws” in Congress and explained why the various hypotheses were unable to predict the level of production of “All Laws” in Congress. The Mainwaring hypothesis’s satisfactory prediction of the level of production of “All Laws” in Congress was explained by the fact that the effective number of parties covaried with the government parties’ support in Congress. *The lower the support for the government parties’ in Congress, the lower the effect of the governments’ persuasive powers and coalition building.*

All hypotheses except the Shugart & Carey (1992) hypothesis were able to predict the occurrence of “Actual Deadlocks”. All or almost all (9 out of 10) of the “Actual Deadlock” legislatures occurred when the various scholars predicted they would occur, i.e. during potential deadlock

²⁹⁰ “Actual Deadlocks” was based on the production of “All Laws” in Congress, operationalised as lower than 10 laws passed per legislature.

legislatures. However, only ca. 30-35% of the potential deadlock legislatures ended in “Actual Deadlocks”. This means that the potential deadlocks are *necessary, but not sufficient factors* to predict the occurrence of “Actual Deadlocks”. The “Actual Deadlocks” occurred when the governments’ persuasive powers and coalition building failed and there existed a potential deadlock situation. I found two additional factors that triggered the occurrence of “Actual Deadlocks”: *The pre-existence of a conflict outside Congress that transplanted into Congress and the instability of coalitions creating unstable majorities*. The “Actual deadlock” periods in 1989-1991 and 1994-1996 were partly triggered and prolonged by the conflicts created by the two disputed elections in 1990 and 1994. The unstable coalitions were the triggering factors for the 1998 and the 2002 “Actual Deadlocks”.

The new institutional theories expected that potential and “Actual Deadlocks” could lead to breakdowns of the political regime. *I found no support for this in my case*. The theories also expected that potential or “Actual Deadlocks” would lead to an increased presidential dominance. I operationalised presidential dominance as the number of presidential decrees and presidential share of the budget expenses. *I found no support for the theories with respect to presidential decrees*. This was expected because the majority of presidential decrees in the Dominican Republic are minor executive orders. We do not expect these to be affected by the institutional independent variables. *With respect to the presidential share of the budget expenses, I found a strong support for the theories*. There was an increase in the presidential share of the budget expenses, i.e. an increased presidential dominance during the various potential deadlock situations and during the “Actual Deadlocks” The Dominican presidents have systematically used their share of the budget as a way to bypass Congress. This is done to avoid the most negative consequences of “Actual Deadlocks” (e.g. breakdowns of regime and economic crisis), but probably also constitutes a traditional part of the neopatrimonial style of doing politics in the Dominican Republic (Hartlyn 1998a).

Chapter 6 discussed methodological problems regarding studies of democratic stability. I found that there were especially two validity problems that affected the conclusions of these studies: The use of an average scale of democracy to measure stability and the use of regime persistence or regime survival as the only criterion for democratic stability.

Chapter 6 also evaluated whether or not the Dominican regime since 1978 had consolidated, stabilised, or entered processes of virtuous or perverse institutionalisation. In chapter 5 I found no support for the argument in the literature that the PRD governments between 1978 and 1986 had been dominated by deadlocks between the executive and the legislative. *However, with respect to the constitutional changes needed for a process of virtuous institutionalisation, I argued that the two PRD governments between 1978 and 1986 experienced deadlocks.* Nonetheless, I showed in chapter 6 that the literature's explanations (the "Fallo Histórico" and the increasing factionalism within the PRD) were not sufficient to explain the lack of constitutional reforms in the period 1978-1986. These factors only deprived the PRD of a majority in Congress, it did not deprive the PRD of a 2/3 constitutional majority. *I explained the constitutional deadlock by the nature of the reforms required and the potential consequences of the reforms for the politicians and the political parties.* I showed that the majority party was not interested in reforming the CdC, the SCJ or the JCE since this would "punish" the majority party more than it would "punish" the other parties. I further argued that because of the senatorial electoral system (plurality elections in single member districts) power sharing in the Senate unlikely, such reforms were almost impossible to achieve. The political institutions were not conducive to a virtuous institutionalisation before 1994. And, in the period 1978-1994, the only virtuous institutionalisation in the Dominican Republic was the strengthened civilian control over the military and the cementing of the respect for civil liberties and political rights. These two democratic features did not require deliberate political reforms in order to be protected. I argued that the 1994 constitutional reform was only possible because the potential negative consequences (breakdown of regime) of not implementing a constitutional reform were worse for all political actors than reforming the constitution and shortening Balaguer's presidential period with two years.

Even though the institutional reforms in 1994 changed the institutional reality in the Dominican Republic, it did not increase the probabilities for further constitutional reforms that would indicate a virtuous institutionalisation. As a matter of fact, *the reforms have decreased these probabilities and the period after 1996 has not brought any clear virtuous institutionalisation.*

In chapter 6, *I also argued that the political regime in the Dominican Republic 1978-1994 was neither stable nor consolidated*. The crises during the elections in the period 1986-1994 were of such a magnitude that during the electoral periods the regime had a lower probability for survival than in the periods between elections. After the 1994-1996 crisis, *I argued that the regime had stabilised, but not consolidated*. The elections from 1996 to the present have not been crisis ridden and the regime has not experienced any increased probabilities for breakdowns. However, I argued that the regime was not consolidated because many political actions were not in accordance with the democratic rules of the game. In some instances these political actions even undermined basic democratic procedures and made me doubt the stability of the regime. I concluded nevertheless, *that the Dominican Republic as of 2002-2003 was a stable delegative democracy*.

1.2 Concluding methodological and substantial reflections

Can we draw some conclusions the findings in this thesis? The main findings in this thesis are methodological. *By highlighting the case of the Dominican Republic, I have pointed to several problems regarding the classification of regimes and studies of democratic stability and consolidation of democracy*. I have also through this exercise pointed to how these methodological problems can affect the evaluations of the political institutions' effect on political regimes, especially in studies with only a limited number of cases as the Shugart & Carey (1992) study. I showed how these methodological problems have affected the classifications of the Dominican political regime and studies of democratic stability in the Dominican Republic. However, the methodological problems we found with respect to the Dominican Republic are general problems that may lead to misclassifications of other cases. *A conclusion is therefore that studies focusing on political institutions have not been sufficiently conscious about the methodological problems regarding the classification of regimes, and that these methodological problems have affected the conclusions in these studies*.

I also discussed the distinct methods used to classify regimes and measure democratic stability. These methods may have affected the conclusions in various new institutional studies on democracy and democratic stability. By using a single method of classifying regimes and by introducing new variables to measure deadlocks and to measure presidential dominance as the

presidential share of the budget expenses, I have been able to compare various new institutional hypotheses. My comparison of Linz (1994), Mainwaring (1993) and Cheibub's (2001) hypotheses showed only small differences in their predictive values on "Actual Deadlock" and presidential dominance. This indicates that the institutional debate is partly a pseudo-debate and that the disagreement between the various scholars is based on different ways of operationalising the dependent variables and the use of different dependent variables. It was the scholars' various operationalisations and methods that created the disagreements, not theoretical differences or the actual validity of the scholars' arguments. By using different operationalisations of the same concept, e.g. democratic stability, one could find empirical support for distinct institutional hypotheses. The conclusion is: *How one chooses to operationalise a dependent variable can affect the effect of the independent variable (-s) on the dependent variable (-s)*. Institutional studies should therefore discuss these methodological issues more thoroughly. It is possible that the disagreement between the various new institutional scholars is based on distinct operationalisations of variables.

I presented a new variable to test the relationship between institutional independent variables and deadlocks. I identified "Actual Deadlocks" to distinguish these from potential deadlocks. The support I found for the institutional variables predicting "Actual Deadlocks" not only confirmed the hypotheses in my case, it also increased the validity of my variable. *My conclusion is therefore that applying the production of laws in Congress as an operationalisation of "Actual Deadlocks" has proven useful in testing new institutional theories*. I cannot make any empirical generalisations based on my findings in the Dominican Republic. Theoretically and methodologically, however, my findings and methods can be generalised and applied in other studies. The indicator for "Actual Deadlocks" is not a case specific indicator and can therefore be useful for large-N studies.

I presented a method for measuring horizontal accountability. This numeric indicator of horizontal accountability can also be used in large-N studies. My findings are consistent with what other scholars have believed with respect to the Dominican Republic: That there has been a constant lack of horizontal accountability in the period after 1966 and that there was a higher lack of horizontal accountability during the Balaguer administrations (1966-1978, 1986-1996) than

during other administrations. The consistency between my findings and the existing literature shows that my indicator of horizontal accountability is a valid indicator for measuring horizontal accountability. I also found that the lack of horizontal accountability increases during potential or “Actual Deadlock” periods. As mentioned above, the empirical findings are only valid for the Dominican Republic. Nevertheless the indicator of horizontal accountability can be used in large-N studies, and hopefully, it can be useful for comparative studies of horizontal accountability.

Can I draw any conclusions with respect to the Dominican case? Former studies of the Dominican Republic have normally focused on a single political institution. I had an institutional approach that focused on the interplay between various institutions, especially the legislative and the executive. This has presented a new picture of the presidential-legislative relations in the Dominican Republic 1978-present. I presented new systematic data on the activity in the Dominican Congress in the period 1978-2002 to investigate the executive-legislative relations and the effects of political institutions on the political regime. With new budget data, I also systematically discussed the lack of horizontal accountability and the presidential dominance in the Dominican Republic. I demonstrated that the lack of horizontal accountability, not surprisingly, is closely connected to the central position of the President. And I found that the presidential dominance tend to increase during potential and “Actual Deadlocks”. Although I cannot make empirical inferences beyond my case, I believe that this connection between presidential powers and lack of horizontal accountability probably can be found in other countries. My approach of classifying regimes shed new lights on the aspects of horizontal accountability in the Dominican Republic and I showed that this trait of the Dominican regime has been constant for the whole 1966-2002 period.

Are there any limitations with my institutional approach? The limitations are of course that my approach is institutional and has not considered other factors that affect political regimes. The weak economy, the high levels of poverty and the neopatrimonial legacy and culture probably also contributed to the lack of virtuous institutionalisation in the period 1978-present. I argued in chapter 6 that the political institutions did not favour a virtuous institutionalisation. However, my approach prevents me from concluding that the political institutions and the incentives they created were the *only* factors contributing to a lack of virtuous institutionalisation. I have shown

that the institutions had an effect on the political regime, “Actual Deadlocks”, presidential dominance and horizontal accountability. But, it might be the multiple conjunctural conditions created by institutional, economical, socioeconomical and cultural factors that produced the patterns of regime changes, “Actual Deadlocks”, presidential dominance and horizontal accountability, and not the political institutions alone. On the other hand, I argued that the historical, cultural, economical and socioeconomical factors remained constant throughout the 1966-2002 period. This means that I to a certain degree, controlled for the effect of these factors in my institutional analysis.

What are the future democratic prospects for the Dominican Republic? In chapter 6, I concluded that the Dominican Republic is a stable delegative democracy, but future prospects for a virtuous institutionalisation are pale. There are no indications that the Dominican Republic will commence respecting the democratic criterion horizontal accountability. Furthermore, I also indicated that the stability in the near future may be jeopardised. The PRD and the PRSC are factionalised as a result of disputed presidential primaries, the government is increasing the political pressure on critical journalists, military officials have been caught campaigning for the reelection of President Mejía, the economy is shattered, the path for presidential reelection is re-opened, and there are increasing preoccupations that the JCE will not be able to organise properly the next presidential elections in 2004. Chapters 5 and 6 also showed that even though the regime has “improved” democratically since 1966, the pattern of political behaviour is still neopatrimonial. The continued presidential dominance and lack of horizontal accountability, the intense political conflicts over spoils and political positions rather than policies, the constitutional reform opening for presidential reelection and the people’s strong feelings for a strong and paternalistic leader (see chapter 2), are all indications that the neopatrimonial culture is strong, dominant and persistent in the Dominican Republic. This trait is alongside the lack of horizontal accountability one of the constants between 1966 and 2002. This neopatrimonial political behaviour has had a hard time adapting to new and more democratic political procedures, but has survived in authoritarian as well as more democratic regimes. The conflicts between neopatrimonial political behaviour and democratic procedures indicate that the stability of the Dominican regime, in the near future, might become threatened yet again. But, as Lipset (1994: 17) reminds us: “*The record of social scientists as futurologists is not good*”.

Appendices:

Appendix I: Electoral results 1966-2002

Table 25: Presidential Elections 1966-2000

Elections	Parties				
	PR(SC) (and allies)	PRD (and allies)	PLD (and allies)	Others:	Abstention rate:*
1966	56.7	36.9		2.3	
1970	52.8			33.8	
1974	84.7			15.3	
1978	42.2	51.7	1.1		24.0
1982	39.2	46.7	9.9		26.0
1986	41.5	38.8	18.4		28.0
1990	35.0	23.2	33.9	7.0	40.0
1994	42.3	41.5	13.1	2.3	14**
1996 (1)	15.0	45.9	38.9		21.4
1996 (2)		48.7	51.3		23.2
2000	24.6	49.9	24.9		24.0

Notes: Figures in percentage. Data gathered from JCE (<http://www.jce.do>), Hartlyn (1998a) and Sagás (2001). Party (and allies) with presidential winner in bold. * Abstention rates are that of registered voters, not by estimated population over 18. ** Estimated due to incomplete vote count.

Table 26: Electoral results for the Lower Chamber 1966-2002

Terms	Parties			
	PR(SC) & allies	PRD & allies	PLD & allies	Others:
66-70	48 (64.9)	26 (35.1)	-	
70-74	45 (60.8)	-	-	29 (39.2)
74-78	75 (82.4)	-	-	16 (17.6)
78-82	43 (47.3)	48 (52.7)	-	
82-86	50 (41.7)	62 (51.7)	7 (5.8)	1 (0.8)
86-90	56 (46.7)	48 (40)	16 (13.3)	
90-94	41 (34.2)	33 (27.5)	44 (36.7) [-11]	2 (1.6)
94-98	50 (41.7)	57 (47.5)	13 (10.8)	
98-02	17 (11.4)	83 (55.7) [-10]	49 (32.9)	
02-06	36 (24.0)	73 (48.7)	41 (27.3)	

Notes: Figures are seats in the Lower Chamber, percentages in parenthesis. There were 74 seats in the Lower Chamber 1962-1974, 91 between 1974-1982, 120 between 1982-1998, 149 between 1998-2002 and 150 from 2002. Data gathered from Hartlyn 1998a, Sagás 1999, Jiménez Polanco 1999, Grullón 1999, and JCE (<http://www.jce.do>). [-] loss of representatives due to expulsions, defections.

Table 27: Electoral results for the Senate 1966-2002

Terms	Parties			
	PR(SC) & allies	PRD & allies	PLD & allies	Others:
66-70	22 (81.5)	5 (18.5)	-	
70-74	21 (77.8)	-	-	
74-78	23 (85.2)	-	-	6 (22.2)
78-82	16 (59.3)	11 (40.7)	-	4 (14.8)
82-86	10 (37)	17 (63)	-	
86-90	21 (70)	7 (23.3)	2 (6.7)	
90-94	16 (53.3)	2 (6.7)	12 (40) [-1]	
94-98	14 (46.7)	15 (50)	1 (3.3)	
98-02	2 (6.7)	24 (80)	4 (13.3)	
02-06	2 (6.3)	29 (90.6)	1 (3.1)	

Notes: Figures are seats in the Senate, percentages in parenthesis. The Senate consisted of 27 seats until 1986, 30 between 1986-2002 and 32 from 2002. Data gathered from Hartlyn 1998a, Sagás 1999, Jiménez Polanco 1999, and JCE (<http://www.jce.do>).

Appendix II: Comparing democracy surveys

Below I compare the Freedom House measure of democracy with the Fitzgibbon scale of democracy in Latin America and the Dominican Republic.

Table 28: Fitzgibbon-Johnson and the Freedom House indexes on democracy in Latin America

Country	Ranks Fitzgibbon- Johnson Index 1945-2000	Ranks Fitzgibbon- Johnson Index 1970-2000	Ranks Freedom House 1972- 73-2000
Argentina	5	4	4
Bolivia	18	15	8
Brazil	8	8	10
Chile	3.5	7	12
Colombia	7	6	7
Costa Rica	1	1	1
Cuba	10.5	12	20
The Dominican Republic	15	13	3
Ecuador	10.5	9	6
El Salvador	13	16	9
Guatemala	16	18	14
Haiti	20	20	19
Honduras	17	17	11
Mexico	3.5	5	13
Nicaragua	14	14	17
Panama	9	10	15
Paraguay	19	19	18
Peru	12	10	16
Uruguay	2	3	5
Venezuela	6	2	2

Notes: The Dominican Republic's figures are in bold. The Fitzgibbon survey years are every 5 year from 1945, with one exception. Instead of 1990 the rank was measured in 1991. Sources: Kelly 2002: 10-14 and Kelly 1998: 10-11. The Freedom House ranks are calculated on the base of Freedom House's own sums of Freedom scores. Corresponding years are: for 1970: 1972-73, 1975: 74-75 and 75-76, etc. The scores for each Latin American country are summed and the countries are ranked on the basis of their sum of scores. If two countries score equally then the country with the lower score on political rights are ranked lower. If both scores are equal they are ranked equally.

Notice that the Dominican regime ranks number 13 among Latin American political regimes by the Fitzgibbon-Johnson scale of democracy. In the Freedom House scale, the Dominican political regime ranks number 3 among the Latin American countries. This is a difference of 10 places on the rankings. This constitutes the single highest difference in the rankings between the Fitzgibbon-Johnson ranking and my calculations of a Freedom House ranking. Cuba is second highest with an 8 places difference. The overall correlation between the measures is not very low,

0.63, but not very high either. This correlation alongside the differences in definitions of the concept of democracy, indicate that the surveys measure two different, but related, concepts.

Appendix III: Background statistics and material for chapter 5

Table 29: Correlations between congressional activities

Indicators:	Laws & important laws:	All Laws:	Total legislative activity:
Laws & important laws:	1		
All Laws:	0,78	1	
Total legislative activity:	0,91	0,74	1

Notes: Calculations of laws and resolutions passed in Congress are based on “Gaceta Oficial” 1978-2002. “Important laws” are laws that regard the relationship between state institutions, my five criteria of democracy, national budgets and constitutional reforms. “Laws” do not include “Pensions Laws” and “Diverse Laws” as the e.g. the naming of streets. “All Laws” are all laws passed. “Total legislative activity” includes “All Laws and “All Resolutions”. See below for further coding rules.

This table shows the correlations between the various types of laws and resolutions. The correlations are very high, between 0,74 and 0,91. This led me to pick the median measure, “All Laws” as the base for my analyses in chapter 5. I thereby excluded the Resolutions, but not the insignificant laws as “Pension Laws” and “Diverse Laws”.

Regression analyses of the data material presented and analysed in chapter 5.

The dependent variables in the regression analyses are: “*All Laws*” and “*Presidential Share of Budget expenses*” (“*Presidential Dominance*”). I do not include my dependent variable “*Actual Deadlocks*” because this is a dummy variable and a loglinear regression analysis would be recommended. This is a complicated statistical analysis, which is not easy to interpret. I therefore do not analyse the various hypotheses with respect to the “*Actual Deadlock*” dependent variable. Since I found no support for the relationship between the various independent variables and presidential decrees I have not included “*Presidential decrees*” in my regression analysis.

The Linz-Mainwaring independent variable is in the regression model used as a dummy. 0 is the value for a minority government (one or both chambers), 1 the value for a majority government.

The regression analysis used to test the Mainwaring hypothesis uses the Effective number of parties in the Lower Chamber as the independent variable.

The Cheibub 1 independent variable is in the regression model used as a dummy. 0 is the value for “*potential deadlock*” (Government party support between 33.3% and 50% in any of the chambers of Congress), 1 is the value for all other situations.

The Cheibub 2 independent variable is in the regression model used as a dummy. 0 is the value for “*unstable majorities*” (any two of the three parties constitute a majority in the Lower Chamber), 1 is the value for all other situations.

Since I found no support in my analysis of the Shugart & Carey (1992) hypothesis, I have chosen to omit this hypothesis from further testing. Because of its complexity using two ordinal scales and furthermore having various party strength scores for each party, the hypothesis is not easily tested with regression analysis.

Table 30: Bivariate regression on production of "All Laws" in Congress

Variable	R2	B	β	Sig.effect
Gov. majority/minority (dummy)	0.006	4.778	0.78	0.600
Eff. No. parties Lower Chamber	0.114	-27.619	-0.337	0.019
Cheibub's deadlock (dummy)	0.076	14.943	0.276	0.057
Unstable majority (dummy)	0.035	9.917	0.186	0.206

We see that the results of the table above support my findings in chapter 5. The effective number of parties in the Lower Chamber (Mainwaring hypothesis) has a satisfactory significant negative effect on the production of “all laws” in Congress (at 0.019 it is lower than 0.05, but not lower than 0.01). The R2 tells us that the effective number of parties in the Lower Chamber can explain 11.4% of the variation in the production of “All Laws” in Congress. The other variables’ effect is far from being significant on a satisfactory level (lower than 0.05). These hypotheses are therefore not supported in my regression analysis. The B also shows that the relationship between the effective number of parties in the Lower Chamber and the production of “all laws” in Congress is negative. This means that with an increase in the effective number of parties in the Lower Chamber the production of all laws in Congress decreases.

Table 31: Bivariate regression on Presidential share of executed budget (Presidential Dominance)

Variable	R2	B	β	Sig. effect
Gov. majority/minority (dummy)	0.369	-24.033	-0.607	0.000
Eff. No. parties Lower Chamber	0.480	36.517	0.693	0.000
Cheibub's deadlock (dummy)	0.353	-20.650	-0.594	0.000
Unstable majority (dummy)	0.791	-30.482	-0.889	0.000

This table shows us that each independent variable has a significant effect on the presidential share of budget, all are lower than 0.000. We see that the three dummy variables all have a

significant negative effect on the presidential share of budget. This was expected as Q is the value for the various “potential deadlock situations” (minority government, Cheibub’s deadlock and unstable majority). We also see that there is a significant positive effect between the effective number of parties in the Lower Chamber and the presidential share of budget. This was also expected. The results of these bivariate regressions substantiate my findings in chapter 5.

The Party strength indicators:

Table 32: Party strength PRSC

Year:	Control nomination Congress	Control nomination President	Control order of elections	Lack of internal competition	Leadership in government	Score:
1978	2	2	2	2	0	8
1982	2	2	2	2	0	8
1986	2	2	2	2	2	10
1990	2	2	2	2	2	10
1994	2	1	2	2	2	9
1996	2	1	2	2	0	7
1998	2	1	2	2	0	7
2000	1	2	2	2	0	7
2002	1	2	0	0	0	3

Notes: For coding rules, see below.

Table 33: Party strength PLD

Year:	Control nomination Congress	Control nomination President	Control order of elections	Lack of internal competition	Leadership in government	Score:
1982	2	2	2	2	0	8
1986	2	2	2	2	0	8
1990	2	2	2	2	0	8
1994	2	2	2	2	0	8
1996	2	2	2	2	2	10
1998	2	2	2	2	2	10
2000	1	1	2	2	0	6
2002	1	1	0	0	0	2

Notes: For coding rules, see below.

Table 34: Party strength PRD

Year:	Control nomination Congress	Control nomination President	Control order of elections	Lack of internal competition	Leadership in government	Score:
1978	1	1	2	2	0	6
1982	1	0	2	2	0	5
1986	1	0	2	2	0	5
1990	2	0	2	2	0	6
1994	2	2	2	2	0	8
1996	2	2	2	2	0	8
1998	1	0*	2	2	0	5
2000	1	1	2	2	1	7
2002	1	1	0	0	1	3

Notes: For coding rules, see below. *Peña Gómez, the undisputable leader of the PRD and three times presidential candidate, dies of cancer in May-98. The loss of a charismatic leader leads to a loss of party strength. This is captured by the loss of two points here.

My party strength indicator used in chapter 5 is based on Shugart & Carey's (1992: 174-178) indicator of party strength. Since their indicator is based on a cross-national study, I had to change the indicator to fit a single case study. The indicators in the Shugart & Carey (1992) study that measure party strength by party system indicators are deleted. Entry barriers and pool of votes are deleted since they are the same for all years. I have added two indicators, "Control nomination President" and "Party leadership in government", and also redefined one indicator, "Control nominations Congress", to fit the case study better. The indicators "Control order of elections" and "Lack of internal competition" from Shugart & Carey (1992) are kept since there is a variation on this variable for the year 2002.

Control Nominations Congress

Shugart & Carey (1992: 175) ask if the party leadership controls the nomination and who may run on the party lists, or if there are any laws that decentralise this decision. In the Dominican Republic, it is up to the parties how they choose their candidates for their lists. *If the party leadership controls nominations to lists, the score is 2, if the lists are partly controlled, but partly are left for internal competition the score is 1, if all seats are open for internal primaries, the score is 0.* This indicator is partly amended from the Shugart & Carey (1992) scale. They check whether there is any national legislation that regulates the parties' method of nominating candidates to congressional elections, or if the parties can control the process of nomination themselves. In the Dominican Republic, the practice of electing candidates to congressional party lists varies from party to party. I have therefore not used national legislation, but each party's practice regarding nominations to congressional lists as a basis for giving scores.

Control nomination President

This indicator is inspired by Geddes (1994: 163). She uses it as an indicator for presidential strength. We are talking of internal primaries for candidates for the national presidency, not the party presidency. I use the indicator as a measure for party strength. It roughly measures the unity of a party. A unified party is stronger than one that is not unified. *Full unity within the party behind the presidential candidate gives a 2 point score. A 1 point score means a relatively strong unity behind the presidential candidate, but not full unity. A 0 point score means that the party is divided between two or more factions, each supporting its own presidential candidate.*

Control order of elections

This indicator is taken directly from Shugart & Carey (1992) and measures to what extent the party leadership controls the order in which the candidates are elected by the means of list-rank order (Shugart & Carey 1992: 175). *Here, closed lists give a 2 point score, and totally open lists a 0 point score. Multiple lists within one party give a 1 point score (as in Uruguay).* In the Dominican Republic the system changed from closed lists to open lists for the Lower Chamber in the 2002 election and might change for open lists for the presidential elections in 2004.

Lack of internal competition

This indicator is taken from Shugart & Carey (1992) and measures to what extent there is internal party competition simultaneously with inter-party competition. *If there is internal party competition between candidates for Congress simultaneously with interparty competition, the score is 0. If there is not internal party competition simultaneously with interparty competition, the score is 2.* Shugart & Carey (1992: 175-176) do neither report of any cases in their data material that score 1 on this indicator, nor do they describe such a situation. I therefore choose only to deal with the two values 0 and 2. In the Dominican Republic, the 2002 congressional election opened for simultaneous intra- and interparty competition for elections to the Lower Chamber.

Party leadership in government

This measure of party strength is aimed at measuring party discipline. If the party leadership sits in the government, and not outside it, as is normal in Latin-America (Geddes 1994: 100), the government can expect a more unified and stronger support from its party. If the party leadership enters the government the preferences of the party leadership and the government coincide, and the party results stronger. *A 2 point score is given to the party if the entire party leadership sits in the government. A 1 point score is given if only parts of the party leadership sit in the government. And, a 0 point score is given if the party leadership does not take place in the government.* This score is only given to parties in government. *This means that parties in government can achieve a top score of 10 points, whereas parties outside the government only can achieve a top score of 8 points.*

Bibliography for the party strength scale:

The sources cited below are used as background material for my coding of the party strength indicators “Control nomination President”, “Party leadership in government” and “Control nominations Congress”. The other two indicators are based on Shugart & Carey (1992). The sources are also listed in the Bibliography.

Jiménez Polanco 1999 and Agosto & Villamán 2002. Newspapers: Listín Diario: 27/10-2001, 18/12-2001, 28/01-2002, Nuevo El Diario 08/01-1998, El Siglo: 03/10-1997, 21/10-1997, Hoy 29/10-2001. Party documents: PRSC: PRSC 1995a. PRSC 1995b. PRSC 2001a. PRSC 2001b. PLD: PLD 1995. PLD 1996. PLD 2002. PRD: PRD 2001. Interviews: Castillo 2002, Botello Fernández 2003, Fernández Mirabal 2003, Tavárez Mirabal 2003 and Cedeño 2003.

Background Statistics on laws, resolutions and decrees

The first statistics shows the background statistics on laws, resolutions and decrees in the Dominican Republic between the 2nd legislature in 1978 till the 1st legislature 2002. The categories I use are “*Total legislative activity*”, “*All Laws*” and “*Laws and important Laws*” (see below for coding rules). The laws and resolutions are coded in year and legislature depending on dates of final passing in Congress. If a law was approved in one chamber in one legislature, e.g. 1st 1985, and in the other chamber in the following legislature, 2nd 1985, the law is coded in the 2nd legislature of 1985. The laws and resolutions are coded according to when they were passed in Congress, not promulgated by the president. If a law is passed in an extraordinary legislature it is coded to belong to the regular legislature preceding the extraordinary legislature. The presidential decrees, which are issued independently of the congressional calendar, are coded as follows: A presidential decree issued between February 27 (start of the 1st legislature in Congress) and August 15 belongs to the 1st legislature. A presidential decree issued between August 16 (start of the 2nd legislature) and February 26 belongs to the 2nd legislature.

“**Contract resolutions**” are the resolutions concerning contracts the state has made with private persons (the great majority), organisations, firms (national and international) etc. They normally regard selling of national terrain or donations to organisations or private persons.

“**Other resolutions**” are all resolutions except contract resolutions. They can include loans, exaltations of private persons, prolongation of legislatures in Congress, the approval of all actions taken by the executive the previous year and they can also be the contracting of private firms to do public works.

“**All Resolutions**” is the sum of “Contract resolutions” and “Other Resolutions”

“**Law Pensions**” are the laws concerning pensions to private persons.

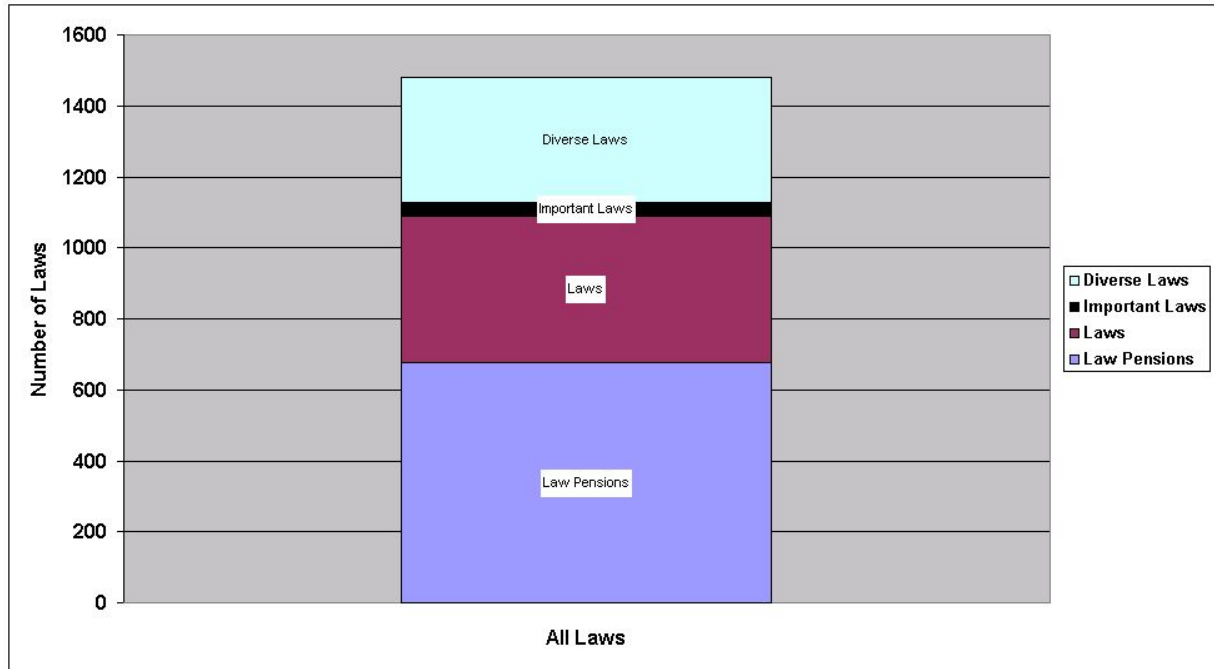
“Important Laws” are all *national budgets*, ordinary laws that call for constitutional reforms and convene the National Assembly.²⁹¹ The constitutional reforms are also “Important Laws”. Laws that concern the regulation of the relationship between state institutions and parties, laws that concern my five criteria for democracy, and laws that might have an impact on the stability or consolidation of the regime, are all “Important Laws”. Examples are the law concerning habeas corpus from 1978 (human rights), and law 384/1981 regarding autonomous institutions and their responsibility to deliver monthly economic reports for accounting.

“Diverse Laws” are laws that are ceremonial in their character. Examples are giving ex-presidents a military escort, allowing the Central Bank to create memorial coins or stamps, naming of streets and buildings, declaration of “memorial days”, making it obligatory to learn about the national hero Juan Pablo Duarte in public and private schools, creation of baseball teams, tax exonerations for national delegations going abroad for sports events, that school books should have national symbols (historical or sport symbols etc.) on their front pages, the calling for national holidays and creating the Balaguer Poetry competition.

“Laws” is a rest category and are all laws that are not “Important Laws”, “Law Pensions” or “Diverse Laws”.

²⁹¹ In order to convene the National Assembly and reform the Constitution in the Dominican Republic, an ordinary law must first pass in both chambers with a simple majority. This law cannot be observed, or vetoed, by the president.

Figure 5: Relationship between different categories of Laws and the production of “All Laws” 1978-2002



Notes: The figure shows the relationship between the various types of laws I have coded. The whole column is “All Laws” which is the sum of “Pensions”, “Laws”, “Important Laws”, and “Diverse Laws”

“Laws and Important Laws” is the sum of “Laws” and “Important Laws”. This is the sum of the dark grey part of the column and the black part of the column in the figure above.

“Total Legislative Activity” is the sum of “All Laws” and “All Resolutions”

“Presidential Decrees” is the sum of presidential decrees.

Appendices

Table 35: Law statistics 2nd legislature 1978- 1st legislature 2002

Year(Legislature)	Resolutions (contracts)	Other resolutions	All resolutions	Law Pensions	Laws	Important Laws
1978(2)	1	7	8	2	8	3
1979(1)	0	7	7	6	6	0
1979(2)	4	22	26	26	15	1
1980(1)	3	11	14	4	7	0
1980(2)	43	11	54	25	12	2
1981(1)	5	12	17	29	6	0
1981(2)	18	19	37	27	16	2
1982(1)	194	35	229	84	15	0
1982(2)	5	18	23	29	13	1
1983(1)	13	9	22	21	11	0
1983(2)	3	14	17	12	3	1
1984(1)	0	12	12	6	10	0
1984(2)	3	7	10	16	4	0
1985(1)	2	3	5	2	7	1
1985(2)	10	9	19	4	17	0
1986(1)	6	8	14	14	2	0
1986(2)	11	17	28	19	7	1
1987(1)	8	3	11	8	5	0
1987(2)	27	6	33	33	23	1
1988(1)	8	3	11	10	6	0
1988(2)	7	3	10	2	4	1
1989(1)	3	8	11	9	10	0
1989(2)	23	13	36	0	4	1
1990(1)	7	4	11	2	3	0
1990(2)	2	1	3	2	2	0
1991(1)	7	1	8	1	2	0
1991(2)	7	4	11	3	11	1
1992(1)	4	1	5	1	6	2
1992(2)	11	11	22	7	9	1
1993(1)	7	4	11	8	12	0
1993(2)	16	1	17	4	4	1
1994(1)	2	1	3	0	2	2
1994(2)	0	5	5	2	1	1
1995(1)	0	1	1	1	1	0
1995(2)	3	4	7	1	3	2
1996(1)	3	1	4	0	0	0
1996(2)	19	18	37	66	7	0
1997(1)	65	14	79	29	15	2
1997(2)	140	14	154	15	12	2
1998(1)	205	42	247	56	28	1
1998(2)	0	3	3	0	2	1
1999(1)	46	17	63	1	4	2
1999(2)	9	10	19	6	9	1
2000(1)	29	8	37	14	17	3
2000(2)	17	35	52	34	18	1
2001(1)	20	30	50	19	12	0
2001(2)	18	27	45	13	11	1
2002(1)	23	32	55	2	11	1

Appendices

Year(Legislature)	Diverse Laws	Laws and Important Laws	All Laws	Total legislative activity	Presidential Decrees
1978(2)	0	11	13	21	706
1979(1)	2	6	14	21	374
1979(2)	5	16	47	73	451
1980(1)	5	7	16	30	340
1980(2)	12	14	51	105	357
1981(1)	21	6	56	73	413
1981(2)	6	18	51	88	407
1982(1)	20	15	119	348	428
1982(2)	10	14	53	76	825
1983(1)	5	11	37	59	502
1983(2)	10	4	26	43	509
1984(1)	5	10	21	33	377
1984(2)	5	4	25	35	558
1985(1)	9	8	19	24	468
1985(2)	1	17	22	41	488
1986(1)	1	2	17	31	607
1986(2)	1	8	28	56	615
1987(1)	8	5	21	32	326
1987(2)	10	24	67	100	337
1988(1)	5	6	21	32	263
1988(2)	8	5	15	25	307
1989(1)	5	10	24	35	209
1989(2)	4	5	9	45	275
1990(1)	1	3	6	17	210
1990(2)	1	2	5	8	254
1991(1)	2	2	5	13	232
1991(2)	6	12	21	32	198
1992(1)	2	8	11	16	190
1992(2)	12	10	29	51	187
1993(1)	5	12	25	36	167
1993(2)	3	5	12	29	177
1994(1)	0	4	4	7	187
1994(2)	3	2	7	12	246
1995(1)	3	1	5	6	184
1995(2)	1	5	7	14	208
1996(1)	0	0	0	4	263
1996(2)	10	7	83	120	410
1997(1)	14	17	60	139	254
1997(2)	15	14	44	198	233
1998(1)	27	29	112	359	236
1998(2)	0	3	3	6	255
1999(1)	7	6	14	77	309
1999(2)	8	10	24	43	267
2000(1)	4	20	38	75	339
2000(2)	23	19	76	128	1,183
2001(1)	21	12	52	102	578
2001(2)	16	12	41	86	505
2002(1)	10	12	24	79	470

Statistics on Budget Expenses

All figures are in “Thousand” DOP, except the last three columns “Lack of Horizontal Accountability”, “Presidential divergence” and “Presidential Dominance” which are in percentages. The figures are budget expenses. Each government secretary and autonomous state institution (Congreso, Junta Central Electoral, Cámara de Cuentas, Procurador General) has two columns. The first (left) column for each secretary and autonomous institution refers to the expenses allocated to the institution by Congress. The second (right) column for each secretary and autonomous institution refers to the secretary or autonomous institution’s execution of their budget expenses.

“Presupuesto Total” is the sum of total expenses in each secretary and autonomous institution.

“Sum of Absolute Divergences” is the sum of the absolute sums of divergences between congressionally approved budget expenses and executed budget expenses for each secretary and autonomous institution in thousand DOP.

“Lack of Horizontal accountability” is the share of “Sum of Absolute Divergences” of the congressionally approved budget (“Presupuesto Total”). The formula for calculating the “Lack of Horizontal Accountability”: $(SAD/PT)*100$, where SAD is the “Sum of Absolute Divergences” and PT is the “Presupuesto Total”

“Presidential Divergence” is the share of absolute divergence between the president’s congressionally approved expenses and the president’s execution of his expenses.

The formula for calculating the “Presidential Divergence” is: $(ABS(PE-P)/P)*100$. Where PE is the sum of the President’s execution of his expenses (“Presidencia Executed”), P is the President’s congressionally approved expenses (“Presidencia”) and $ABS(PE-P)$ is the absolute divergence between PE and P.

“Presidential Dominance” is the “Presidencia Executed’s” share of the “Presupuesto Total Executed” in percent. “Presidential dominance”: $(PE/PTE)*100$ where PE is “Presidencia Executed” and PTE is “Presupuesto Total Executed”.

* Figures for 1966 and 1967 will not add up perfectly, since these two years debt down-payment was a proper expense post. In my material I have not included these posts. In 1966, the planned debt down-payment was 4,840 thousand DOP and in 1967 5,928 thousand DOP. This means that the sum of expenses in all secretaries and autonomous institutions is somewhat lower than the total expenses (Presupuesto Total). The figures for the years 2000 and 2001 will not add up, due to the creation of the Secretary of the Women, Secretary of Culture, Secretary of the Youth and Secretary of the Environment and National Resources. The figures for the Secretary of Culture are for comparative reasons included in the figures for Education (Culture was formerly part of Education). The other secretaries are omitted since the congressionally approved Budgets for the years 2000 and 2001 did not present any expense posts for these new secretaries.

Appendices

Table 36: Budget expenses 1966-2001

Year	Presidencia	Presidencia Executed	Congreso	Congreso Executed	Cámara de Cuentas	Cámara de Cuentas Executed
*1966	13434	14571	595	466	59	48
*1967	28584	32835	768	731	52	48
1968	30982	46478	734	731	52	52
1969	19508	65043	850	852	52	53
1970	22455	81382	884	863	54	54
1971	28731	114362	884	870	56	55
1972	31858	138852	894	876	56	55
1973	36696	174525	908	883	56	56
1974	43492	255304	921	938	63	61
1975	53841	320151	1090	1025	73	58
1976	44086	266581	1089	1048	65	59
1977	50841	297806	1174	1059	62	58
1978	66764	300126	1025	1188	63	66
1979	59614	187977	2725	2639	100	90
1980	75485	146153	5867	4539	662	660
1981	124956	162527	6423	4816	1096	931
1982	105938	110795	5234	5187	928	887
1983	82177	186951	6628	6675	928	894
1984	195975	155255	6732	7275	1080	9590
1985	141214	495220	8262	8119	1071	1059
1986	267213	723167	9282	8272	1130	1063
1987	267213	1771229	9282	9234	1130	1126
1988	273954	2530628	13068	13043	1404	1325
1989	1258198	3221299	15010	14042	1662	1344
1990	311649	3411604	18676	18482	1815	1607
1991	311649	6022714	18676	18675	1815	1697
1992	2003880	8812480	57455	50504	4384	4256
1993	1590042	10523853	65327	62412	6476	4888
1994	2909581	11498231	98563	70400	8664	5426
1995	2360696	11328138	113283	108222	11640	6252
1996	2492800	12470246	205870	179936	10104	7690
1997	2492800	13069241	205870	199435	10104	9230
1998	4085890	8401082	427229	427229	25614	21187
1999	4731109	7776666	577400	577400	30061	25822
*2000	6596024	7860272	646688	669551	34197	32182
*2001	6780711	9677980	779737	756886	41406	41350

Appendices

Year	Junta Central Electoral Executed	Junta Central Electoral Executed	Interior y Policía	Interior y Policía Executed	Fuerzas Armadas	Fuerzas Armadas Executed	Relaciones Exteriores
*1966	2417	2061	28840	28179	36084	33543	3068
*1967	616	558	24901	24928	31148	30794	2148
1968	888	902	24975	25270	30293	32551	2466
1969	592	625	25588	25510	29948	30251	2429
1970	2244	1342	26756	25731	31571	31495	2671
1971	1194	1403	26639	25749	32393	31973	2775
1972	1890	2049	27539	27142	33254	34160	2900
1973	2030	2315	27318	31549	34232	36610	2990
1974	4211	4136	32259	37202	35571	47538	3236
1975	2030	2001	33548	39310	37195	57668	3250
1976	2123	1923	39091	39305	43228	67385	3400
1977	2124	2582	39180	39593	43240	75783	3886
1978	4150	4425	40201	42434	49780	87146	4051
1979	2494	2490	48268	60099	91000	108904	4699
1980	2680	2730	66028	65045	93800	99353	5713
1981	4522	4403	71958	71252	117811	116151	6751
1982	10744	8990	69709	76121	110814	127692	5973
1983	3877	3950	73353	78366	123407	134775	6185
1984	4918	5497	115799	122245	152445	164067	8272
1985	10000	10405	130406	132832	175827	190945	9088
1986	8950	12891	142233	144530	245210	201889	12680
1987	8950	7893	142233	182996	245210	227974	12680
1988	9227	8771	220508	258211	276574	273700	18978
1989	21394	21177	294532	314924	345695	344466	28258
1990	33000	32114	399117	378353	441506	407555	46901
1991	33000	20615	399117	441944	441506	430222	46901
1992	29152	27156	716254	740300	826125	806449	83902
1993	195046	171651	1004955	972527	1370956	1216858	114349
1994	255944	177018	1425772	1118181	1558598	1328632	139053
1995	152222	40746	1553498	1146516	2295876	1148389	183216
1996	201920	72376	1775210	1502487	2777855	1473940	188030
1997	201920	181557	1775210	2239434	2777855	2149321	188030
1998	588756	563439	2620088	2605323	2525646	2428421	314152
1999	435823	544402	2953845	2879076	2661328	2805886	287535
*2000	776505	747428	3708708	3687392	3675022	4051481	408902
*2001	657683	645351	5040860	4843077	4514660	5185511	491977

Appendices

Year	Relaciones Exteriores Executed	Finanzas	Finanzas Executed	Educación y Cultura	Educación y Cultura Executed	Salúd Pública	Salúd Pública Executed
*1966	2605	19527	18317	27963	27022	15711	20136
*1967	2187	20650	19024	31918	28288	19297	15343
1968	2233	12104	23981	34606	29112	16908	15622
1969	2425	33208	32960	37547	30868	28751	16210
1970	2654	37229	36890	40406	36290	32405	17361
1971	2769	40948	39309	51956	38365	35529	18604
1972	2827	35728	34160	53887	40483	38011	19399
1973	2803	38661	40915	59726	43022	49773	21425
1974	2910	46933	58826	72308	44797	63655	24970
1975	3039	50214	120931	76537	47261	65989	31258
1976	3334	56861	62800	96144	60082	83618	33808
1977	3562	62678	60577	97415	61641	79058	36187
1978	3813	77323	85287	97735	70327	81231	41585
1979	5335	41769	258465	116456	107232	102310	83604
1980	5526	94800	237373	117425	114795	107244	98076
1981	6299	141818	162166	143547	131225	128428	98583
1982	6235	147863	178800	151448	148424	108369	92680
1983	7168	150591	243090	159761	151657	113503	97128
1984	8319	197932	162585	163666	175007	135975	120093
1985	10296	165681	245452	200494	213592	140755	142794
1986	9619	576780	338127	267161	223953	188464	156679
1987	12740	576780	190985	267161	262902	188464	186056
1988	18943	971470	600740	340207	330495	279440	253645
1989	24743	2106536	823132	418730	397573	382796	343716
1990	35759	1848677	1144657	540320	535353	649255	596321
1991	46078	1848677	1371928	540320	521888	649255	506874
1992	64362	5466772	3586428	1090361	993638	1255705	828431
1993	75196	8282012	3369781	2109693	1351586	2503289	1144944
1994	64817	6467164	2307103	2526539	1744655	3026744	1400463
1995	72276	6213583	3640096	3200011	2354168	3243815	1347118
1996	102259	5840633	4100548	3897377	3012702	4144210	1614792
1997	185939	5840633	7632306	3897377	3660825	4144210	2459163
1998	250432	9718951	9288454	6010419	5404953	4529300	3543862
1999	370928	11702082	9062530	6617652	6981475	4736003	4663546
*2000	445534	7095836	8523873	8164464	7559671	7963265	5939040
*2001	550400	14796012	12955673	10158112	8869183	7212245	6916584

Appendices

Year	Deportes	Deportes Executed	Trabajo	Trabajo Executed	Agricultura	Agricultura Executed	Obras Públicas
*1966			1284	641	9415	19159	30012
*1967			683	591	34405	15836	20274
1968			683	581	16714	10086	12914
1969			611	596	27301	12160	19661
1970			730	634	25687	13639	20006
1971			772	656	17397	13729	20326
1972			795	655	30834	13543	26194
1973			805	643	33683	13275	27888
1974			881	614	43479	11091	29510
1975	NA	2105	900	645	52826	19289	32610
1976	4322	2468	890	650	113481	20464	34616
1977	4373	3203	910	692	119032	22511	35966
1978	5080	2780	983	805	128102	22031	55718
1979	7000	7222	1479	1458	140291	96843	100764
1980	7607	6510	1752	1723	159759	154045	104602
1981	12530	11788	2160	4826	252388	173278	170177
1982	7615	5264	1844	5609	169749	123593	139176
1983	6472	9842	1612	6284	157247	126669	114490
1984	17330	20550	1927	7392	175842	184603	144117
1985	24925	23170	2187	7508	195568	204751	139049
1986	23054	26211	2587	10533	323042	203681	143874
1987	23054	28230	2587	12301	323042	238653	143874
1988	33906	31089	2982	18409	480106	331595	233394
1989	35562	31831	6710	25425	900720	262396	475374
1990	40195	34630	9836	36225	1567485	315722	515038
1991	40195	36327	9836	61475	1567485	372805	515038
1992	50077	49729	14743	86722	1522244	366643	563267
1993	127104	76402	30544	119064	3690419	823955	1247827
1994	234856	80388	33500	132560	2855733	849067	1213033
1995	345687	49371	55974	157625	2799419	757410	1464358
1996	353554	65099	54337	178367	2913229	947120	1372157
1997	353554	185905	54337	215211*	2913229	1422048	1372157
1998	473190	231957	73775	270970*	3963809	2973368	2539982
1999	475937	405093	75736	319022	3873662	3611623	3978186
*2000	810412	482682	213536	370056	4043884	3519988	4249564
*2001	900444	780082	137995	489465	3870677	3662509	4082557

Appendices

Year	Obras Públicas Executed	Industria y Comercio	Industria y Comercio Executed	Turismo	Turismo Executed	Procurador General	Procurador General Executed
*1966	22757		170				
*1967	16972	743	657				
1968	12220	737	668				
1969	13531	713	704				
1970	12097	777	745				
1971	12279	900	778				
1972	13105	10513	2471				
1973	13167	6127	1932				
1974	13482	2241	1620				
1975	13901	2300	1770				
1976	14114	2790	1970				
1977	19199	3047	2124				
1978	19584	3086	2595				
1979	80438	6785	4592	4500	4545		
1980	108999	7425	6179	5000	4844		
1981	126880	12411	8353	5805	5420		
1982	108330	5261	5814	4690	3211		
1983	128585	3575	4389	4005	3194		
1984	123309	6758	9464	5658	5383		
1985	175005	8789	11670	5700	5653		
1986	177142	7855	9127	8010	12891		
1987	124715	7855	7643	8010	6361		
1988	157786	9261	9863	11051	9971		
1989	183772	14119	11774	14778	10960		
1990	219405	16398	14218	18314	11239	23576	17480
1991	245921	16398	16088	18341	11542	23576	22570
1992	241028	23923	22397	29494	16882	57313	45605
1993	257489	123821	36027	73464	26518	71008	50448
1994	392139	107109	31412	92090	27668	102027	48037
1995	448647	144839	44747	115830	22578	140134	54248
1996	382554	165665	35188	120395	34594	151496	70039
1997	389969	165665	52506	120395	58628	151496	125162
1998	1983412	68385	48691	90000	52801	152016	142336
1999	4975422	440050	294409	255000	129211	200000	189232
*2000	5088171	475779	253886	279899	116157	450000	294444
*2001	4087263	1402440	1329478	229284	509061	452254	424990

Appendices

Year	Poder Judicial	Poder Judicial Executed	Presupuesto Total	Presupuesto Total Executed	Sum of absolute divergences	Lack of horizontal accountability	Presidential divergence
*1966	4053	3495	253669	198011	30074	11.86	8.46
*1967	3488	3383	225895	198102	36218	16.03	14.87
1968	3408	3484	198271	207631	44542	22.47	50.02
1969	3525	3537	230324	235325	86791	37.68	233.42
1970	3684	3623	247559	264800	100590	40.63	262.42
1971	4084	4088	264312	304987	131193	49.64	298.04
1972	4318	4199	300928	334316	172893	57.45	335.85
1973	4407	4285	325300	387353	235696	72.45	375.60
1974	4211	4296	383367	508784	360194	93.96	487.01
1975	4505	4575	416908	664986	480781	115.32	494.62
1976	4711	4638	530514	580627	455206	85.80	504.68
1977	4743	4767	547728	631345	477088	87.10	485.76
1978	4880	5567	620351	689757	494951	79.79	349.53
1979	6493	6951	736745	1018884	468471	63.59	215.32
1980	9064	8981	864913	1065532	246811	28.54	93.62
1981	11415	9233	1214197	1098133	234423	19.31	30.07
1982	9118	8969	1054473	1016600	168705	16.00	4.58
1983	9381	9616	1017192	1199235	293584	28.86	127.50
1984	11325	11925	1345751	1283929	162591	12.08	20.78
1985	15460	15788	1374475	1894258	523522	38.09	250.69
1986	21888	18061	2249432	2270524	998618	44.39	170.63
1987	21888	22141	2249432	3293179	2077258	92.35	562.85
1988	29679	29185	3205209	4877398	2948232	91.98	823.74
1989	38233	37612	6358376	6060185	4290794	67.48	156.02
1990	38258	31087	6520045	7171810	5531058	84.83	994.69
1991	38258	36282	6520045	10185645	7947330	121.89	1832.53
1992	85215	72218	13880268	16815228	10873072	78.33	339.77
1993	11216	96834	22717548	20380431	20366745	89.65	561.86
1994	122482	98077	23177451	21374274	19190695	82.80	295.19
1995	180879	111189	24574960	22837738	19851015	80.78	379.86
1996	303300	149039	26968143	26398978	20741733	76.91	400.25
1997	303300	181557	26968143	34540083	18554447	68.80	424.28
1998	542766	542127	38749978	39120044	8688163	22.42	105.61
1999	640298	667890	44671706	46279633	8294175	18.57	64.37
*2000	713990	720633	50366390	50463664	8128000	16.14	19.17
*2001	966419	953938	65176720	64312220	8510615	13.06	42.73

Appendices

Year	Presidential dominance
*1966	7.36
*1967	16.57
1968	22.38
1969	27.64
1970	30.73
1971	37.50
1972	41.53
1973	45.06
1974	50.18
1975	48.14
1976	45.91
1977	47.17
1978	43.51
1979	18.45
1980	13.72
1981	14.80
1982	10.90
1983	15.59
1984	12.09
1985	26.14
1986	31.85
1987	53.78
1988	51.88
1989	53.16
1990	47.57
1991	59.13
1992	52.41
1993	51.64
1994	53.79
1995	49.60
1996	47.24
1997	37.84
1998	21.48
1999	16.80
*2000	15.58
*2001	15.05

Bibliography:

A

Agosto, Gabriela & Francisco Cueto Villamán 2002. *Los Partidos por dentro. Estructura y Funcionamiento del PRD, PRSC y PLD 1978-2002*. Santo Domingo.

Alemán, José Luis, Fransisco Alvarez Valdez, Rosina de la Cruz Alvarado, Ivelisse Mieses & Tamara Sosa Vásquez 1999. *Cámara de Cuentas y Rendición de Cuentas en República Dominicana*. Santo Domingo.

Amnesty International Report 2003. *The Dominican Republic*.

<http://web.amnesty.org/report2003/dom-summary-eng>. Accessed 22/09-2003.

Atkins, G. Pope 1987. *Los Militares y la Política en la República Dominicana*. Santo Domingo (translated from the English version, Atkins, G. Pope 1981. *Arms and Politics in the Dominican Republic*. Boulder.)

B

Banco Central de la República Dominicana 2003. <http://www.bancentral.gov.do/dolar.html>. Accessed 18/09-2003.

Black, Jan Knippers 1986. *The Dominican Republic. Politics and Development in an unsovereign state*. Boston, London & Sydney.

Bohrstedt, George W. & David Knoke 1994. *Statistics for Social Data Analysis*. Itasca.

Bratton, Michael & Nicolas van de Walle 1994. Neopatrimonial Regimes and Political Transitions in Africa. In *World Politics* 46(4): 453-489.

Bratton, Michael & Nicolas van de Walle 1997. *Democratic experiments in Africa. Regime Transitions in Comparative Perspective*. Cambridge.

Brea, Ramonina, Isis Duarte, Ramón Tejada & Clara Báez 1995. *Estado de Situación de la Democracia Dominicana (1978-1992)*. Santo Domingo.

Brea, Ramonina, Rosario Espinal & Fernando Valerio Holguín (eds.) 1999. *La República Dominicana. En el Umbral del Siglo XXI. Cultura, Política y Cambio Social*. Santo Domingo.

Burton, Michael, Richard Gunther & John Higley 1992. *Introduction: elite transformations and democratic regimes*. In Higley & Gunther (eds.) 1992: 1-37.

C

- Cámara de Cuentas 1975. *Boletín de la Cámara de Cuentas*. No. 64. Santo Domingo.
- Cámara de Cuentas. *Informe de la Cámara de Cuentas al Congreso Nacional 1970, 1974, 1977, 1981, 1984, 1986, 1991, 1994, 1997, 1998, and 2000*. Santo Domingo.
- Cámara de Diputados República Dominicana 2000. *Reglamentos*. Santo Domingo.
- Campillo Pérez, Julio G. 1982. *Elecciones Dominicanas: Contribución a su estudio*. Santo Domingo.
- Carey, John M. & Matthew Soberg Shugart (eds.) 1998. *Executive Decree Authority*. Cambridge, New York & Melbourne.
- Carey, John M. & Matthew Soberg Shugart 1998. *Calling Out the Tanks or Filling Out the Forms?* In Carey & Shugart (eds.) 1998: 1-33.
- Carey, John M., Octávio Amorim Neto, & Matthew Soberg Shugart 1997. *Appendix: Outlines of Constitutional Powers in Latin America*. In Mainwaring & Shugart (eds.) 1997: 440-460.
- Carmines, Edward G. & Richard A. Zeller 1979. Reliability and validity assessment. In *Quantitative Applications in the Social Sciences* 17.
- Cheibub, José Antonio 2002. Minority Governments, Deadlock Situations, and the Survival of Presidential Democracies. In *Comparative Political Studies* 35(3): 284-312.
- Chirot, Daniel 1994. *Modern Tyrants. The Power and Prevalence of Evil in Our Age*. Princeton.
- CIA-World Factbook 2002. <http://www.odci.gov/cia/publications/factbook/geos/dr.html>. Accessed 09/04-2002.
- Collier, David 1995. *Trajectory of a concept: "Corporatism" in the Study of Latin American Politics*. In Smith (ed.) 1995: 135-162.
- Collier, David & James E. Mahon 1993. Conceptual "Stretching" Revisited: Adapting Categories in Comparative Analysis. In *American Political Science Review* 87(4): 845-855.
- Collier, David & Robert Adcock 1999. Democracy and Dichotomies. A Pragmatic Approach to Choices about concepts. In *Annual Review of Political Science* 2: 537-565.
- Collier, David & Steven Levitsky 1997. Democracy with Adjectives: Conceptual Innovation in Comparative Research. In *World Politics* 49(3): 430-451.
- Colomer, Josep M. 2001. *Political Institutions. Democracy and Social Choice*. Oxford & New York.

Conaghan, Catherine M. & Rosario Espinal 1990. Unlikely Transitions to Uncertain Regimes? Democracy without Compromise in the Dominican Republic and Ecuador. In *Journal of Latin American Studies* 22(3): 553-574.

Constitución de La República Dominicana 1994, 2002. Santo Domingo. Last version on the internet: <http://www.jce.do/constitucion.asp>, also available in: Junta Central Electoral 2002.

Compilación de la Legislación Electoral de la República Dominicana 2002. Santo Domingo.

Cueto Villamán, Francisco & Manuel Alcántara Sáez 2002. *Diputados y diputadas de República Dominicana. Actitudes, Valores y Percepciones Políticas*. Santo Domingo.

D

Dahl, Robert A. 1971. *Polyarchy. Participation and Opposition*. New Haven & London.

Damgaard, Erik 1997. *Parlamentarisme*. In Østerud, Goldmann, Pedersen (eds.) 1997: 187-188.

Diamond, Larry, Jonathan Hartlyn, Juan J. Linz & Seymour Martin Lipset (eds.) 1999.

Democracy in Developing Countries. Latin America. London.

Dilla Alfonso, Haroldo (ed.) 2002. *Los Recursos de la Gobernabilidad en la Cuenca del Caribe*. Caracas.

de Galíndez, Jesús 1999 [1956]. *La Era de Trujillo*. Santo Domingo.

De la Cruz Alvarado 1999. *La Cámara de Cuentas en la rendición de cuentas en la República Dominicana*. In Alemán et. al.: 44-94.

del Castillo, Pilar & Daniel Zovatto (eds.) 1998. *La Financiación de la Política en Iberoamerica*. San José.

Díaz S., Juan Bolívar 1996. *Trauma Electoral*. Santo Domingo.

Drake, Paul W. & Eduardo Silva (eds.) 1986. *Elections and Democratization in Latin America, 1980-1985*. San Diego.

Duarte, Isis 2002. *Financiamiento estatal a los partidos políticos dominicanos y monitoreo de gastos publicitarios*. In Participación Ciudadana 2002: 323-342.

Duarte, Isis & Ramonina Brea 2002. *Hacia dónde va la democracia Dominicana? 1994-2001*. Santo Domingo.

E

- Eddie, Carlene J. (ed.) 1994. *Democracy in the Caribbean. Myths and Realities*. Westport & London.
- Elster, Jon 1986. *Introduction*. In Elster (ed.) 1986: 1-34.
- Elster, Jon (ed.) 1986. *Rational Choice*. Oxford.
- Ensalaco, Mark 1994. In with the New, Out with the Old? The Democratising Impact of Constitutional Reform in Chile. In *Journal of Latin American Studies*. 26: 409-429.
- Espinal, Flavio Darío 2001. *Constitucionalismo y procesos políticos de la República Dominicana*. Santo Domingo.
- Espinal, Rosario 1994a. *Autoritarismo y democracia en la política dominicana*. Santo Domingo.
- Espinal, Rosario 1994b. *Dominican Republic: Electoralism, Pacts, and Clientelism in the Making of a Democratic Regime*. In Eddie (ed.) 1994: 147-161.
- Espinal, Rosario 2001. *Las Reformas Electorales y su impacto en el sistema político Dominicano*. Santo Domingo.
- Espinal, Rosario & Jacqueline Jiménez Polanco 1998. *El financiamiento de los Partidos Políticos en la República Dominicana*. In del Castillo & Zovatto (eds.) 1998: 515-544.
- Espinal, Rosario & Jonathan Hartlyn 1999. *The Dominican Republic. The Long and Difficult Struggle for Democracy*. In Diamond, Hartlyn, Linz & Lipset (eds.) 1999: 469-518.

F

- Fatton, Robert 2002. *Haiti's Predatory Republic. The undending Transition to Democracy*. Boulder & London.
- Ferreira Rubio, Delia & Matteo Goretti 1998. *The Decretazo in Argentina, 1989-1993* In Carey & Shugart (eds) 1998: 33-62.
- Freedom House 2001. *Freedom in the World Country Ratings*.
<http://www.freedomhouse.org/research/specreports/ar2001.pdf>. Accessed 22/09-2002.

G

- Garretón, Manuel Antonio 1995. Redemocratization in Chile. In *Journal of Democracy*. 6(1): 146-158.

Bibliography

- Geddes, Barbara 1994. *Politician's dilemma. Building State Capacity in Latin America*. Berkeley, Los Angeles & London.
- Grimaldi, Víctor 1985. *El diario secreto de la intervención Norteamericana de 1965. Basado en los Archivos Personales del Presidente Johnson*. Santo Domingo.
- Grullón, Sandino 1999. *Historia de las Elecciones en la República Dominicana desde 1913 a 1998*. Santo Domingo.
- Guerrero, Miguel 1999. *Al Borde del Caos. Historia Oculta de la Crisis Electoral de 1978*. Santo Domingo.
- Gutiérrez, Miren 2001 *Central America, the Caribbean and Mexico*. In *Global Corruption Report 2001*: 152-167.
http://www.globalcorruptionreport.org/download/gcr2001/rr_c_am_car_mex.pdf. Accessed 22/09-2002.

H

- Hartlyn, Jonathan 1994. Crisis-Ridden Elections (Again) in the Dominican Republic: Neopatrimonialism, Presidentialism and Weak Electoral Oversight. In *Journal of Interamerican Studies and World Affairs* 36(4): 91-144.
- Hartlyn, Jonathan 1998 a. *The Struggle for Democratic Politics in the Dominican Republic*. Chapel Hill & London.
- Hartlyn, Jonathan 1998 b. *The Trujillo Regime in the Dominican Republic*. In Chehabi & Linz 1998: 85-113.
- Hellevik, Ottar 1997. *Forskningsmetode i Sosiologi og Statsvitenskap*. Oslo.
- Herman, Edward S. & Frank Brodhead 1984. *Demonstration Elections. U.S.-staged Elections in The Dominican Republic, Vietnam, and El Salvador*. Boston.
- Higley, John & Richard Gunther (eds.) 1992. *Elites and Democratic Consolidation in Latin America and Southern Europe*. Cambridge, New York & Port Chester.
- Hovi, Jon 1998. *Games, Threats and Treaties. Understanding commitments in International Relations*. London & Washington.
- Hovi, Jon & Bjørn Erik Rasch 1994. *Strategisk Handling*. Oslo.
- Howard, David 2001. *Coloring the Nation. Race and Ethnicity in the Dominican Republic*. Oxford & Boulder.

Huntington, Samuel P. 1991. *The Third Wave. Democratization in the Late Twentieth Century*. Norman & London.

J

Jiménez Polanco, Jacqueline 1999. *Los Partidos Políticos en la República Dominicana. Actividad Electoral y Desarrollo Organizativo*. Santo Domingo.

Johannsen, Lars & Ole Nørgaard 2003. *The Index of Presidential Authority. Explorations into the measurement and impact of a political institution*. Prepared for the ECPR Joint Sessions of Workshops, Edinburgh, March-April 2003.

Junta Central Electoral. <http://www.jce.do/>, <http://www.jce.do/elecciones.asp>. Accessed 01/06-2003.

K

Karl, Terry 1986. *Imposing Consent? Electoralism vs. Democratization in El Salvador*. In Drake & Silva (eds.) 1986: 9-37.

Karl, Terry Lynn 1990. Dilemmas of Democratization in Latin America. In *Comparative Politics* 23(1): 1-21.

Kearney, Richard C. 1986. Spoils in the Caribbean: The Struggle for Merit-Based Civil Service in the Dominican Republic. In *Public Administration Review* 46(2): 144-152.

Kelly, Philip (ed.) 1998. *Assessing Democracy in Latin America. A Tribute to Russell H. Fitzgibbon*. Boulder.

Kelly, Philip 1998. *Special Topics in Addressing Democracy in Latin America*. In Kelly (ed.) 1998: 3-11.

Kelly, Philip 2002. Democracy in Latin America: Update of the Fitzgibbon Survey. In *Lasa Forum* 23(1): 10-14.

L

Landman, Todd 2000. *Issues and Methods in Comparative Politics*. London & New York.

Lawson, Stephanie 1993. Conceptual Issues in the Comparative Study of Regime Change and Democratization. In *Comparative Politics* 25(2):183-205.

Latin-Amerikaårboka 1998. *Latin-Amerika i 1990-årene. Markedets pris*. Oslo.

Bibliography

- Lijphart, Arend 1994. *Presidentialism and Majoritarian Democracy: Theoretical Observations*. In Linz & Valenzuela (eds.) 1994: 91-105.
- Linz, Juan J. 1990. The Perils of Presidentialism. In *Journal of Democracy* 1: 51-69.
- Linz, Juan J. 1994. *Presidential or Parliamentary Democracy: Does It Make a Difference?* In Linz & Valenzuela (eds.) 1994: 3-87.
- Linz, Juan J. & Arturo Valenzuela (eds.) 1994. *The Failure of Presidential Democracy. Comparative Perspectives*, Vol 1. Baltimore & London.
- Linz, Juan J. & Alfred Stepan 1996. *Problems of Democratic Transition and Consolidation. Southern Europe, South America, and Post-Communist Europe*. Baltimore & London.
- Lipset, Seymour Martin 1959. Some Social Requisites of Democracy. Economic Development and Political Legitimacy. In *American Political Science Review* 53(1): 69-105.
- Lipset, Seymour Martin 1994. The Social Requisites of Democracy Revisited. In *American Sociological Review*. 59(1): 1-22.
- Lipset, Seymour Martin, Kyoung-Ryung Seong & John Charles Torres 1993. A comparative analysis of the social requisites of democracy. In *International Social Science Journal* 136: 155-175.

M

- Mahoney, James 2000. Path dependence in historical sociology. In *Theory and Society. Renewal and Critique in Social Theory* 29(4): 507-548.
- Mainwaring, Scott 1990. Presidentialism in Latin America. In *Latin American Research Review* 25(1): 157-179.
- Mainwaring, Scott 1992. *Transitions to Democracy and Democratic Consolidation: Theoretical and Comparative Issues*. In Mainwaring, O'Donnell & Valenzuela (eds.) 1992: 294-343.
- Mainwaring, Scott 1993. Presidentialism, Multipartyism, and Democracy. The Difficult Combination. In *Comparative Political Studies* 26(2): 198-228.
- Mainwaring, Scott, Guillermo O'Donnell & J. Samuel Valenzuela (eds.) 1992. *Issues in Democratic Consolidation: The New South American Democracies in Comparative Perspective*. Notre Dame.
- Mainwaring, Scott & Matthew Soberg Shugart (eds.) 1997. *Presidentialism and Democracy in Latin America*. Cambridge.

Bibliography

- Mainwaring, Scott, Daniel Brinks & Aníbal Pérez-Liñán 2001. Classifying Political Regimes in Latin America, 1945-1999. In *Studies in Comparative International Development* 36(1): 37-65.
- March, James G. & Johan P. Olsen 1984. The New Institutionalism: Organizational Factors in Political Life. In *The American Political Science Review* 78: 734-749.
- Metcalf, Lee Kendall 2000. Measuring Presidential Power. In *Comparative Political Studies* 33(5): 660-685.
- Mieses, Ivelisse 1999. *Mecanismos de Control e Información para la rendición de cuentas*. In Alemán et.al.: 141-203.
- Mitchell, Christopher 1999. *Urban Elections in the Dominican Republic 1962-1994*. In Brea, Espinal y Valerio-Holguín (eds.) 1999: 303-329.
- Moya Pons, Frank 2000. *Manual de Historia Dominicana*. Santo Domingo.

O

- O'Donnell, Guillermo 1992. *Transitions, Continuities, and Paradoxes*. In Mainwaring, O'Donnell & Valenzuela (eds.): 17-57.
- O'Donnell, Guillermo 1994. Delegative Democracy. In *Journal of Democracy* 5(1): 55-69.
- O'Donnell, Guillermo 1996a. Illusions About Consolidation. In *Journal of Democracy* 7(2): 34-51.
- O'Donnell, Guillermo 1996b. Illusions and Conceptual Flaws. In *Journal of Democracy* 7(4): 160-168.
- O'Donnell, Guillermo & Philippe Schmitter 1986. *Tentative Conclusions about Uncertain Democracies*. In O'Donnell, Schmitter & Whitehead (eds.) 1986.
- O'Donnell, Guillermo, Philippe Schmitter & Laurence Whitehead (eds.) 1986. *Transitions from Authoritarian Rule: Prospects for Democracy*. Baltimore.
- Olsen, Johan P. 1992. "Nyinstitusjonalismen". En kommentar til Bjørn Erik Rasch. In *Norsk Statsvitenskaplig tidsskrift* 8(2): 148-153.
- Organización de los Estados Americanos (OEA) 1997. *Observaciones Electorales en República Dominicana 1994-1996*.
- Organización de los Estados Americanos (OEA) 1998. *Observaciones Electorales en la República Dominicana 1998*.

Organización de los Estados Americanos (OEA) 2000. *Observaciones Electorales en la República Dominicana 16 de mayo 2000*.

P

Parrish, Scott 1998. *Presidential Decree Authority in Russia, 1991-1995*. In Carey & Shugart (eds.) 1998: 62-104.

Participación Ciudadana 2002. *Democracia y Partidos Políticos: Legislación y expectativas de cambio*. Santo Domingo.

Peña Gómez, José Francisco 2000 [1970]. *Fracaso de la democracia representativa a la luz del derecho constitucional*. Santo Domingo.

Pérez, César 2002. *República Dominicana: la gobernabilidad obstruida por la exclusión política*. In Dilla Alfonso (ed.) 2002: 207-233.

PLD 1995. *Reglamento para el proceso de selección del candidato a la presidencia en las elecciones generales de 1996*. Santo Domingo.

PLD 1996. *Estatutos*. Santo Domingo.

PLD 2002. *Estatutos*. Santo Domingo.

Polanco, Carlos 2002. *La reelección presidencial en el marco del pensamiento del Dr. José Francisco Peña Gómez*. Santo Domingo.

PRD 2001. *Estatutos Generales*. Santo Domingo.

Presidencia de la República Dominicana <http://www.presidencia.gov.do/>,

<http://www.presidencia.gov.do/Decretos/2003/646-03.htm>,

<http://www.presidencia.gov.do/Decretos/2003/727-03.htm>. Accessed 22-09-2003.

PRSC 1995a. *Algunos aspectos importantes del reglamento electoral para las elecciones primarias del PRSC*. Santo Domingo.

PRSC 1995b. *Reglamento operativo para la selección del candidato a la presidencia de la República por el Partido Reformista Social Cristiano (PRSC), de cara a los comicios del 16 de Mayo de 1996, mediante el sistema de elecciones primarias*. Santo Domingo.

PRSC 2001a. *Estatutos*. Santo Domingo

PRSC 2001b. *Reglamento para la selección y presentación de pre-candidatos a cargos de elección popular, congresionales y municipales, del Partido Reformista Social Cristiano, PRSC, en las elecciones del 16 de mayo del 2002*. Santo Domingo.

Przeworski, Adam 1991. *Democracy and the market. Political and economic reforms in Eastern Europe and Latin America*. Cambridge.

Przeworski, Adam & Henry Teune 1982. *The Logic of Comparative Social Inquiry*. New York, London & Toronto.

Przeworski, Adam, Michael E. Alvarez, José Antonio Cheibub & Fernando Limongi 2000. *Democracy and Development. Political Institutions and Well-Being in the World, 1950-1990*. Cambridge, New York & Melbourne.

R

Ragin, Charles C. 1987. *The Comparative Method. Moving beyond qualitative and quantitative strategies*. Berkeley, Los Angeles & London.

Ragin, Charles & David Zaret 1983. Theory and Method in Comparative Research: Two Strategies. In *Social Forces* 61(3): 731-754.

Rasch, Bjørn Erik 1992. Rasjonalitetsmodeller eller (ny)institusjonalisme? In *Norsk statsvitenskaplig tidsskrift* 8(2): 133-147.

Riggs, Fred W. 1988. The Survival of Presidentialism in America: Para-Constitutional Practices. In *International Political Science Review* 9(4): 247-278.

Rustow, Dankwart A. 1970. Transitions to Democracy: Toward a Dynamic Model. In *Comparative Politics* 2 (3): 337-363.

S

Sagás, Ernesto 1997. The 1996 Presidential Elections in the Dominican Republic. In *Electoral Studies* 16(1): 103-107.

Sagás, Ernesto 1999. The 1998 congressional and municipal elections in the Dominican Republic. In *Electoral Studies* 18(2): 282-290.

Sagás, Ernesto 2000. *Race and Politics in the Dominican Republic*. Gainesville.

Sagás, Ernesto 2001. The 2000 presidential election in the Dominican Republic. In *Electoral Studies* 20 (3): 495-501.

Sagás, Ernesto 2003. Elections in the Dominican Republic, May 2002. In *Electoral Studies* 22 (4): 792-798.

Sánchez, Peter M. 1992. *The Dominican case*. In Higley & Gunther (eds.) 1992: 300-322.

Bibliography

- Sánchez, Peter M. 1997. *Ethnicity, Race and Democratic Consolidation: The Dominican Republic, Guatemala and Peru*. Draft for the LASA meeting Guadalajara, México, April-1997.
- Sánchez, Peter M. Unpublished manuscript. *Elite Convergence and Democratic Consolidation in Latin America: The Dominican Republic, Guatemala and Peru*.
- Sartori, Giovanni 1970. Concept Misformation in Comparative Politics. In *The American Political Science Review* 64(4): 1033-1053.
- Sartori, Giovanni 1994a. *Neither Presidentialism nor Parliamentarism*. In Linz & Valenzuela (eds.) 1994: 106-118.
- Sartori, Giovanni 1994b. *Comparative Constitutional Engineering. An Inquiry into Structures, Incentives and Outcomes*. Houndmills, Basingstoke & London.
- Schedler, Andreas 1998. What is Democratic Consolidation? In *Journal of Democracy* 9(2): 91-107.
- Schedler, Andreas 1999. *Conceptualizing Accountability*. In Schedler, Diamond & Plattner (eds.) 1999: 13-28.
- Schedler, Andreas, Larry Diamond & Marc F. Plattner (eds.) 1999. *The Self-Restraining State. Power and Accountability in New Democracies*. Boulder & London.
- Schmitter, Phillippe C. & Terry Lynn Karl 1991. What Democracy Is...And Is Not. In *Journal of Democracy* 2: 75-88.
- Schneider, Carsten Q. 2002. *The Consolidation of Democracy in different contexts. Combining structures and actors in an inter-regional comparison of third wave democracies*. Paper presented at the 4th Annual Graduate Student Retreat of 'The Society for Comparative Research' (SCR), 8th –10th May, Budapest.
- Shugart, Matthew Soberg & John M. Carey 1992. *Presidents and Assemblies. Constitutional Design and Electoral Dynamics*. Cambridge, New York & Oakleigh.
- Shugart, Matthew Soberg & Scott Mainwaring 1997. *Presidentialism and Democracy in Latin America: Rethinking the terms of the debate*. In Mainwaring & Shugart (eds.) 1997: 12-54.
- Shugart, Matthew Soberg & Martin P. Wattenberg (eds.) 2001. *Mixed-Member Electoral Systems. The Best of Both Worlds?* Oxford & New York.
- Shugart, Matthew Soberg & Martin P. Wattenberg 2001. *Mixed-Member Electoral Systems: A Definition and Typology*. In Shugart & Wattenberg (eds.) 2001: 9-25.
- Schumpeter, Joseph A. 1947. *Capitalism, Socialism, and Democracy*. New York & London.

Bibliography

- Senado de la República Dominicana 2002. *Reglamento Interno*. Santo Domingo.
- Skocpol, Theda 1994. *Social Revolutions in the Modern World*. Cambridge.
- Slater, Jerome 1964. The United States, the Organization of American States, and the Dominican Republic. In *International Organization* 18(2): 268-291.
- Slater, Jerome 1970. *Intervention and Negotiation. The United States and the Dominican Revolution*. New York, Evanston & London.
- Smith, Peter H. (ed.) 1995. *Latin America in Comparative Perspective. New Approaches to Methods and Analysis*. Boulder, San Francisco & Oxford.
- Snyder, Richard 1998. *Paths out of Sultanistic Regimes*. In Chehabi & Linz (eds.) 1998: 49-81.
- Spanakos, Anthony Peter 2000. *The Dominican Republic. A New Way*. In Wiarda & Kline (eds.) 2000: 527-541.
- Stepan, Alfred 1988. *Rethinking Military Politics. Brazil and the Southern Cone*. Princeton.
- Stepan, Alfred & Cindy Skach 1994. *Presidentialism and Parliamentarism in Comparative Perspective*. In Linz & Valenzuela (eds.) 1994: 119-136.
- Sønneland, Anne Margrethe 1998. *Argentina*. In *Latin-Amerikaårboka* 1998: 182-183.

T

- Tsebelis, George 1990. *Nested Games. Rational Choice in Comparative Politics*. Berkeley, Los Angeles & London.
- Tsebelis, George 1995. Decision Making in Political Systems: Veto Players in Presidentialism, Parliamentarism, Multicameralism and Multipartyism. In *British Journal of Political Science* 25(3): 289-325.

U

- University of Texas Library Online 2003: <http://www.lib.utexas.edu/maps/> Accessed 10/12-2003.
- U.S. Census Bureau, International Data Bank 2003. <http://www.census.gov/cgi-bin/ipc/idbsprd>. Accessed 20/05-2003.

Bibliography

V

Valenzuela, J. Samuel 1992. *Democratic Consolidation in Post-Transitional Settings: Notion, Process, and Facilitating Conditions*. In Mainwaring, O'Donnell & Valenzuela (eds.) 1992: 57-104.

W

Walker, Malcolm T. 1970. Power Structure and Patronage in a Community of the Dominican Republic. In *Journal of Interamerican Studies and World Affairs* 12(4): 485-504.

Webster's 7th New Collegiate Dictionary 1965. Springfield.

Wiarda, Howard J. 1969. *The Dominican Republic. Nation in Transition*. London.

Wiarda, Howard J. 1990. *The Democratic Revolution in Latin America. History, Politics, and U.S. Policy*. New York & London.

Wiarda, Howard J. 1998. *The Dilemmas of Democracy in the Dominican Republic: A Paradigm for All of Latin America*. In Kelly (ed.) 1998: 185-195.

Wiarda, Howard J. & Harvey F. Kline (eds.) 2000. *Latin American Politics and Development*. Boulder & Oxford.

Wiarda, Howard J. & Harvey F. Kline 2000. *The Latin American Tradition and Process of Development*. In Wiarda & Kline (eds.) 2000: 3-91.

World Bank Group 2003. Dominican data:

<http://lnweb18.worldbank.org/External/lac/lac.nsf/ebaf58f382dbaf32852567d6006b028e/07954e936d4d1eb1852567dd00566b80?OpenDocument> and

<http://devdata.worldbank.org/external/CPProfile.asp?Selected%20Country=DOM&CCODE=DOM&CNAME=Dominican+Republic&PTYPE=CP>. Accessed 03/11-2003.

Z

Zapete C., Marino 2002. *La Sociedad de los Platos Rotos*. Santo Domingo.

Ø

Østerud, Øyvind, Kjell Goldmann, Mogens N. Pedersen (eds.) 1997. *Statsvitenskaplig Leksikon*. Oslo.

Newspapers/Magazines:

Information from these newspapers and magazines has been gathered from libraries, archives and the internet. For dates, see text and footnotes.

Ahora, weekly magazine.

El Caribe (www.elcaribe.com.do)

El Nacional (www.elnacional.com.do)

El Siglo

Hoy (www.hoy.com.do)

Listín Diario (www.listindiario.com.do)

Los Nuevos Tiempos Digital, only available on the internet, edited from Miami, USA:

<http://cafebambu.com/index.htm>.

Rumbo, weekly magazine.

Interviews/Conversations:

Arias Fabián, Hugo 2003. Former president of the CdC (1998-2002), lawyer and long time state bureaucrat (32 years). 19/02-2003. Santo Domingo.

Bisonó, Victor (Ito) 2003. Representative and spokesman for the PRSC in the Lower Chamber (2002-2006), long time member of the PRSC. 25/02-2003. Santo Domingo.

Botello Fernández, Norge W. 2003. PLD member since the foundation of the PLD and member of the central and political committees, former president of the Lower Chamber, representative for PLD in Congress (12 years). 12/02-2003. Santo Domingo.

Bueno Patiño, Ramón A. 2003. PRD member and representative in the Lower Chamber. 03/02-2003. Santo Domingo.

Castillo, Pelegrín. 2002. Lawyer, and member of FNP (allied to PLD), deputy since 1994. 11/12-2002. Santo Domingo.

Cedeño, Sergio 2003. Party official, and at the time head of the internal presidential campaign of Federico (Quique) Antún Batlle. Some aides of Cedeño were also present at the interview. No date. Santo Domingo.

Decamps, Hatuey. 2003. President of the PRD, former deputy and president of the Lower Chamber, and long-time member of the PRD. 14/01-2003. Santo Domingo.

Bibliography

- Díaz S., Juan Bolívar 2003. Journalist in Teleantillas (a national TV-station), long time writing journalist for several newspapers, author and member of the PC. 04/02-2003. Santo Domingo.
- Dore Cabral, Carlos 2003. Sociologist, former secretary of the PLD government, and Executive Director of the National Dialogue 1997-98. 31/01-2003. Santo Domingo.
- Fernández Mirabal, Jaime David 2003. PLD, former senator (1990-1996) and vice-president (1996-2000), ran in the PLD's internal presidential primaries prior to the 2000 and 2004 election. 20/01-2003. Santo Domingo.
- Franco, Franklin J. 2003. Member of PRD, historian and former member of Partido Socialista Popular and Unión Patriótica. 27/01-2003. Santo Domingo.
- Miranda, Ignazio 2003. FINJUS, head of the "Institutionality of the State" department of FINJUS. 09/03-2003. Santo Domingo.
- Oviedo, José ("El gordo") 2003. Former member of revolutionary Movimiento Revolucionario 14 de Junio, now a member of the Dominican Diplomatic mission in Brazil. 05/02-2003. Santo Domingo.
- Rodríguez, José Ulises. 2003. PRD representative in the Lower Chamber. 11/02-2003. Santo Domingo.
- Tavárez Mirabal, Minerva "Minou" 2003. PLD representative in the Lower Chamber 2002-2006. Member of the PLD's Central Committee and former Vice-Secretary of State during the Fernández administration. 29/01-2003. Santo Domingo.
- Vázquez R., Radhamés. 2003. PLD representative in the Lower Chamber 2002-2006. No date. Santo Domingo.

I have also enjoyed conversations with the following scholars:

Carlos Pimentel OECI (Oficina de Enlace, Coordinación e Intercambios), leader of OECI, a civil society organisation working with Dominican-Haitian relations.

César Pérez (Instituto Tecnológico de Santo Domingo (INTEC))

Flavio Darío Espinal (Pontificia Universidad Católica Madre y Maestra (PUCMM), Santo Domingo)

Isis Duarte (Participación Ciudadana (PC))

Jacqueline Jiménez Polanco (Social researcher, Facultad Latinoamericana de Ciencias Sociales (FLACSO), in Santo Domingo)

Bibliography

José Antinoe Fiallo Billini (INTEC)

Lelis S. Santana Fernández. Head of the shorthand department in the Lower Chamber.

Ruth Helen Paniagua Guerrero. Secretary in the Lower Chamber.

Although I might not have referred to these directly in the text, they have all somewhat influenced my views on the politics in the DR.