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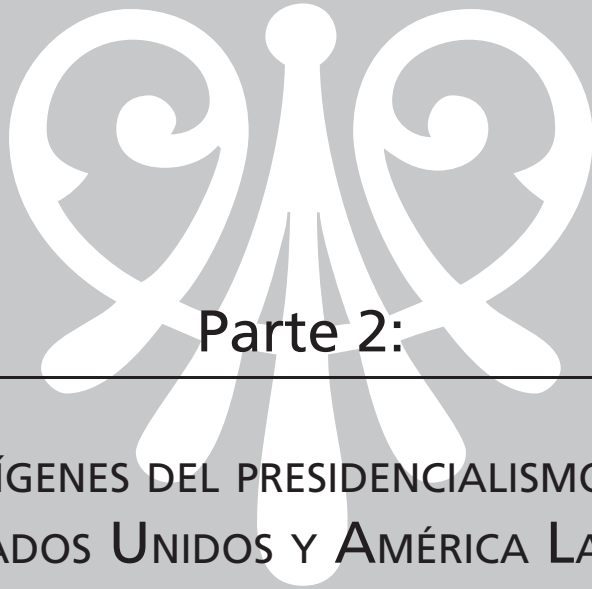
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Parte 2:

ORÍGENES DEL PRESIDENCIALISMO EN
ESTADOS UNIDOS Y AMÉRICA LATINA

Elected Kings with the Name of Presidents.

On the Origins of Presidentialism in the United States and Latin America

Josep M. Colomer*

Abstract

The leaders of the independence in the Americas chose their institutions in a context of high territorial tensions, which moved them to create a potential anchor in the figure of a powerful central executive. Presidential regimes were endogenously shaped as elected monarchies by rulers who were army chiefs. The military-presidential nexus is not accidental, but constitutive and substantial. Some legacies of those choices include the frequency of military rulers as chief executives and long-standing attempts at life appointments or indefinite reelections by incumbent presidents.

Keywords: origins of presidentialism, militarism, central power, hold on power.

Resumen

Los líderes de la independencia en las Américas eligieron sus instituciones en un contexto de grandes tensiones territoriales, lo que los motivó a crear un ancla potencial en la figura de un poderoso ejecutivo central. Los regímenes presidenciales se moldearon endógenamente como monarquías electas por gobernantes que eran jefes del ejército. El nexo militar-presidencial no es accidental, sino constitutivo y sustancial. Algunos legados de esas opciones incluyen la frecuencia de gobernantes militares como jefes ejecutivos y los intentos de permanencia a largo plazo en nombramientos de por vida o reelectiones indefinidas de los presidentes en sus funciones.

Palabras Claves: orígenes del presidencialismo, militarismo, poder central, permanencia en el poder.

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1. Introduction

This paper is not about the consequences of political regimes based on separate elections and divided powers between the presidency and the congress, a subject that has been intensively studied during the last decades, including in this journal, but on their origins. This could be approached as a particular case of institutional change, regarding which important studies are available. But in many respects, the foundational choice of a political regime, as was the case of the United States in the late 18th century and of most countries of Latin America in the early 19th century, is exceptional. It involves fundamental issues and is usually very open regarding the extent of the decisions to be made since it may not be strongly constrained by previously existing institutions. When a new country is created, there are no rules for choosing rules. Decisions are rather based on bargains and agreements among leaders, in some cases in conventions of representatives whose outcomes are highly uncertain and may even fail to produce any agreed outcome at all.

New, independent countries can adopt institutions that will have important consequences on further political processes and outcomes, even if they cannot be fully anticipated by the institutional designers. In the long term, those institutions can entrench themselves, make actors adapt to the incentives they provide, and become more difficult to be changed. Thus, foundational choices of institutions, as remote the past period when they were made may be, and as undetermined and hazardous they could have been, can be of paramount importance in explaining the degrees of stability and the quality of performance of existing political regimes. Their understanding is also crucial to identify key aspects for any further attempt at institutional change or reform.

This paper is structured in the following way. The next section outlines the contextual conditions in which leaders of independence in the Americas chose their institutions, which implied not only the selection of a constitutional formula but the building of new countries. Section 3 expands on the menu of institutional alternatives available at the time, which were basically variants of monarchy, while noting that the American constituents had imperfect information about those variants. Section 4 documents the 'monarchical' temptations, fears and choices of the founding fathers of both the United States and most Latin American nations. Section 5 illustrates some legacies of those choices in favor of a high concentration of power into a single-person institution, particularly the frequency of military rulers as chief executives and longstanding attempts at successive reelections by incumbent presidents. Section 6 suggests some implications for future institutional changes.



2. Context: Territorial Dispersion

At a foundational occasion, actors' preferences for different formulas to distribute powers between the executive and the legislative may not depend only on their expected relative power under the new institutional framework. They may be embedded in a larger set of preferences and decisions regarding the most basic structure of the country to be governed, and even its simple existence, an issue which can in fact determine the basic distribution of power among its members.

The first decisions to be made in both the former British colonies and the former Spanish colonies in the Americas concerned the territorial scope and limits of the new countries. Generally, the choice of new political institutions was made under conditions of considerable territorial fragmentation and the emergence of new territorial rivalries, although they developed in different ways. In the English-speaking North, thirteen rebel colonies becoming independent struggled to unite among themselves to form a new kind of federation, an innovative experience for liberal-minded leaders. Partly supported by previously existing structures in each of the colonies, centripetal tendencies achieved to dominate. Local or 'state' governments, often organized as collective corporations based on family property, could rely upon representative assemblies which had been elected by broad suffrage already during colonial times. At the new federal level, the structure of the legislative body was arranged with the intention of satisfying the aims of both new unity (in the lower chamber) and protection of preexisting local powers (in the upper chamber). But the choice of a single-person executive was strongly bent in favor of unification. It created the focal point of the Union and the core for its further expansion towards the West and the South until it encompassed territories from coast to coast. The Presidency and its election would become the major element of political unity of such a great and varied federation

In the Spanish-speaking areas in North, Central and South America, in contrast, the new process involved many centrifugal moves and high territorial dispersion. The independence was rather improvised as result of the collapse of the Spanish crown with the invasion of the Iberian peninsula by Napoleon's French troops. Most of the territories previously under Spanish jurisdiction were populated with varied and disperse ethnic groups. For almost three hundred years, Spanish colonial rule had been arranging ancient regime, medievalizing social and economic structures in which no effective administration or clear or enforceable civil rights were established. At the time of independence, about two thirds of the population could not even speak Spanish.

Lacking robust technical capacities, the new independent rulers were unable to project their control over large territories into a single institutional framework. They could not rely upon prior governmental resources or their own organizational or institutional capacity





to structure political alternatives, voters, and electoral competition. Many provinces and towns were in the hands of generals, colonels, and lieutenants who, fearful of domination by larger groups and invested in their own local relations, struck out on their own and separated from their previous allegiances. (Carmagnani 1976, Halperin 1985, Weckmann 1984, 1993, Annino, Castro-Leiva and Guerra 1994; for broader discussion of territorial scope of new states, Colomer 2007).

As a consequence of all this, the initial four Spanish viceroalties organized in North-Central America, the continental Caribbean, the Andean region, and the Southern Cone quickly split into twenty units of disparate size and composition. The new independent countries emerged as very weak states, precariously organized around military caudillos, with extremely low levels of tax collection and public expenditure, tiny administrative structures, and little law enforcement. The former monetary union was also destroyed and high tariffs were introduced, thus increasing territorial fragmentation and the region's isolation from other world markets.

In this context, the choice of a powerful, one-person executive by the new pro-independence political leaders implied an attempt to substitute weak states with strong governments. They did so by concentrating powers in the hands of a single individual, who in most cases strongly focused on organizing a national army. In some cases and especially in Simón Bolívar's vision, to be discussed below, this choice implied the will to unify or re-unify larger territorial areas under a single commandment, a project on which he largely failed.

Only two former Portuguese colonies, Maranhao and Brazil, which united in the late 18th century, achieved higher territorial and institutional continuity after independence. As a very large country, for most of the 19th century Brazil remained as organized by the Portuguese monarchy, already separated from dominion in the Iberian peninsula. It was the clearest case of choice in favor of monarchy.

3. Alternatives: Variants of Monarchy

The limited menu of forms of government on offer at the time of the independence of most British, Spanish, Portuguese and French colonies in the Americas was composed mostly of variants of monarchy, especially for middle-sized or large countries. The hypothetical alternative of republic or democracy was traditionally associated with small cities or communes, as was the case at the time of Venice, the Swiss cantons or the Dutch provinces. Other old experiences of vigorous city-republics in different parts of Europe had already been curbed by the building of new large, sovereign states with monarchical forms of government, particularly in the colonial metropolis Britain and Spain, while the uncertain outcomes of

the convulse French revolution could not yet be taken as a reference in most of the cases.

In order to clarify the intention and some consequences of the regime choices made by the founding constituents in the Americas, it may be appropriate to expand a little on some aspects of the form of government traditionally known as 'monarchy'. Its essential defining element is the rule of a single person. In this sense it can be mixed with certain forms of presidentialism. As is well known, many new monarchs acceded to power by winning wars or by marriage, but in many cases there was also an election.

Actually, the typical method for selecting a single ruler in ancient times was for the military winner in battle to ascend to power through some sort of acclamation or election. The kings of ancient Rome were all elected by the people. The popes of Rome were initially elected by people's assemblies and, since the 11th century, by the college of cardinals. The emperors of the Holy Roman and German Empire were elected by a college of prince-electors from 10th to early 19th century. During the middle ages, new kings in different places of Europe were not only appointed by the emperor or the pope, but also elected by aristocratic and representative councils, precisely to resist the imperial and papal attempts at domination. Specifically, the new king of the Franks was elected by an assembly of leading men in the 8th century; elective monarchies existed in the Visigoth kingdom in southwestern France and part of the Iberian peninsula from the 5th to the 8th century, in Gaelic Ireland before the 7th century, in Anglo-Saxon England from the 7th to the 10th century, in the Viking and medieval kingdoms of Denmark, in Bohemia and Hungary from the 14th to the 16th century, and in Poland from 14th to the late 18th century.

Eventually, most elected monarchs tried to appoint their successors. In many cases they favored their relatives, although not necessarily the elder son. At some point, the crown became hereditary and dynasties developed. However, when the royal family became extinct or the monarch was deposed violently, a new election could take place. Formal rules innovatively introduced by king Alphonse X of Castile in the 13th century established that in the event that no relative could claim to be the heir of the deceased king, the successor should be "chosen by agreement of all of the kingdom" (*Las Siete Partidas*, 1274, II, I, IX). In fact, wars of Succession were fought by rival candidates to the crowns of Spain, Poland and Austria during the 18th century. But kings from new families and dynasties were elected by representative councils, colleges or parliaments in Aragon and Catalonia in 1412, in Russia in 1598 and 1613, in England in 1688, in France in 1830, in Greece in 1863, in Romania in 1866, in Spain in 1868, in Italy in 1870, and in Bulgaria in 1887. (Colomer and McLean 1998, Spellman 2001, Whittaker 2001, Colomer 2004, Bernal 2007).

Thus, monarchy is compatible with both hereditary and elective forms of selection of the ruler. Monarchies and presidential regimes may, thus, not be distinguished by different procedures to select the ruler. Both are forms of government reflecting the attempt to con-



centrate absolute power into a single individual, who on many occasions may try to stay in power for long periods.

The establishment of new elected monarchs in the Americas involved high controversy and hesitation. When, in the late 18th century, the British colonies in North America declared independence, the Articles of Confederation vested extensive powers in the Congress and made no provision for a separate executive government. The American founding fathers were indeed innovative, especially in making local self government and the provision of large scale public goods compatible by creating a new, large federal structure. But when they eventually designed new institutions at the federal level, they borrowed from the English constitutional model and replaced the king with an elected executive president.

The United States Constitution of 1787 endowed the presidency with powers traditionally associated to European monarchs, which implied indefinite reelection, control of the army, and veto power over legislation. However, these were greater powers than those actually available to the British king at the time, George III, since these had already been significantly reduced by parliament in a process of balancing inter-institutional relations. Specifically, the monarchical veto over legislation had been exerted in England for the last time in 1707, while since 1730, the prime minister, supported by parliament, had appointed the ministers and become the actual chief executive. Apparently, the American constituents' deficient information was due to the fact that they were looking to the old English monarchical model, mostly taken from Locke and Montesquieu's inspiring but outdated writings, rather than to the current state of inter-institutional relations in the former metropolis (as was noted by both Bagehot 1867 and Bryce 1888).

Also several of the new Latin American countries created in the early 19th century initially adopted parliamentary-like formulas by which the chief executive was to be made accountable to the parliament. They were somewhat inspired by the 1812 liberal monarchical constitution of Spain, in whose discussion representatives from the Spanish colonies in the Americas had participated. Parliamentary-like institutional frameworks were briefly established in Argentina in 1819, Chile in 1822 (as well as from 1891 to 1925), Peru in 1823, the ephemeral Central American Confederation in the same year, and Uruguay in 1830. But as in Spain the absolutist monarchy was soon re-established, in the typical Latin American republic high expectations rapidly developed that the new presidents would be "elected kings with the name of presidents" –in Simón Bolívar's words– able to lead and secure the sovereignty of the newly created countries. If, as just mentioned, the foundational proposals of the United States Constitution were an outdated copy of a British experience that was already vanishing, Bolívar's and others' monarchical proposals for Latin America could not look much beyond the coetaneous regime of the autocrat Ferdinand VII, "the felon king", possibly the worst monarch in the history of Spain.



4. Choices: Concentrating Power

Explicit proposals in favor of an American monarchy were made in the United States' constituent process, especially by New York delegate and future secretary of the Treasury, Alexander Hamilton. In the 1787 Convention, Hamilton openly supported a centralized fiscal-military state and the life appointment of the single-person executive.

Most delegates rejected the idea, yet in the end, the rule of a single person was defended as a constitutional formula on the basis that it implied unity of power, extensive centralized competences, most remarkably including the command of a standing army, and the long duration of executive mandates. The only major differences between a monarch and the new president that were remarked during the ratification campaign was that the latter would be elected for fixed terms and succession would not be hereditary (especially by Hamilton in *The Federalist Papers*, nos. 67 to 77; see discussion in Ellis 1999). But, as noted above, monarchy is not essentially associated to the hereditary principle. In fact the American founding fathers did not preclude the emergence of an elective monarchy. The procedure of election by the electoral college with an expected second ballot by states in the House was devised to choose the most qualified, but not necessarily the most popular and accountable person. Initially, the U.S. constitution permitted the president to be re-elected for an indefinite number of successive four-year terms. (Jillson 1979, Riker 1984, Slonim 1986, Edwards 2004: ch. 4, Wayne 2008: ch. 1).

After the constitution was approved, first vice-president and indeed future president, John Adams, pondered that the most appropriate name for the new political regime was “a monarchical republic, or if you will, a limited monarchy”. Benjamin Franklin forecasted that “the government of these states may in future times end in a monarchy”. Future president Thomas Jefferson warned future president James Madison that “experience concurs with reason in concluding that the first magistrate will always be re-elected if the constitution permits it. He is then an officer for life”. In other writings Jefferson hinted on the incumbent's advantage in elections and inferred that “re-eligibility makes [the president] an officer for life”. He mostly feared “a transition to a president and senate for life, and from that to a hereditary tenure of those offices with the ultimate elimination of the elective principle”. He went so far as to state that “the disasters inseparable from an elective monarchy render it preferable, if we cannot tread back that step, that we should go forward and take refuge in an hereditary one”. (Marston 1987, Prochaska 2008, Jefferson's quotes are from Dec. 20, 1787 and May 27, 1788, in Jefferson 2008).

The election of the “heroic leader”, George Washington, as the first president of the United States could have confirmed those fears. The war-winning president-general was widely seen as a military king that would likely become ruler for life, a kind of elective



monarch. But Washington voluntarily retired after two terms. He had no heirs. (Note: But the second president, Adams, did have, and his son would eventually become president).

However, the possibility, due to a lack of a majority in the college, that the presidential election would pass to the House of Representatives did not substantiate due to the voting in bloc in each state for a single candidate and broader electoral campaigns. New alarms were thus raised in further periods, for example when, in the early 20th century, president Theodore Roosevelt explained that an American president is “an elective king”. Eventually, the four successive elections of president Franklin D. Roosevelt in the 1930s and early 1940s triggered the approval of a constitutional amendment to formally introduce the two-term limit (which was ratified only as late as 1951). British constitutional commentators repeatedly got to that point. Walter Bagehot labeled the U.S. president “an non-hereditary substitute” for a king, while Lord Hailsham allegedly summarized that the American “system of government is an elective monarchy with a king who rules but does not reign, [while the parliamentary British system] is a republic with a hereditary life president who reigns but does not rule” (1963) (see also Dunbar 1923, and Burns 1965).

In Spanish-speaking America, the monarchizing, presidential model of the high concentration of powers into a single-person was most prominently elaborated by the main leader of the Andean region’s independence, Simón Bolívar. He, first, praised the idea of single-person leadership: “In the republics, the executive must be the strongest figure... Nothing is as perilous regarding the people as the weakness of the executive... If all means are not made available to the executive... it falls inevitably into nullity... anarchy, usurpation and tyranny... The president of the republic is in our constitution like the sun that, firm in the center, gives life to the universe”.

More specifically, he proposed “a life-appointed president, with the right to choose his successor”, because in the United States “the faculties of the president are limited with excessive restrictions”, in Bolívar’s opinion. The life-president should rely on a small executive cabinet, thus concentrating many powers personally; he would also have strong veto power over legislation by requiring of the legislative a long “lapse of time or a proportion of votes much higher than presently requested to be able to insist on the bill vetoed by the executive”. No independent civil service would be accepted because every public employee would be accountable annually, that is, submitted to discretionary political control. The other component of the model was the weakness of the legislative, which, in Bolívar’s constitutional projects, would be organized around a hereditary senate whose members would be trained in special schools in order to make them “addicted to the government”. Other “just and prudent restrictions” would also be enforced over primary and electoral assemblies (Bolívar 1819, 1826).



The Bolivarian project of political regime was developed under the leader's direct influence in constituent assemblies in Venezuela, Colombia and Bolivia, while he himself became Dictator of Peru. By stressing the central place of the one-person executive, Bolívar was seeking an anchor to hold large territories together and prevent their uncontrolled dispersion under the fragile leadership of local chiefs. But the general outline of concentration of powers into the presidency was applied in isolated manners to each of the several new countries.

Specifically, Mariano Egaña, the most influential author of the 1833 constitution of Chile (which was enforced for almost sixty years), emphasized that the president of the new republic, to be called the 'Supreme Director', should have "energetic and untiring vigor". The appropriate regulations should provide the president with indefinite re-election potential; extensive executive faculties, including the appointment of military, civil, judiciary, and ecclesiastic authorities and the dismissal of public officers; and absolute veto power over congressional legislation (Egaña 1824-29, Brahm 1994). In Argentina, the main author of the 1853 constitution (which was valid until the late 20th century), Juan B. Alberdi, praised Bolívar's "profound and spiritual statement" in favor of "kings with the name of presidents", in order to establish a regime "like that of Chile, republican in form and quasi-monarchical in fact" (Alberdi 1852, Botana 1984). In Mexico, the most distinguished interpreter of the 1857 constitution (which was also somehow enforced for sixty years), Emilio Rabasa, denounced the mistake of trying to copy the United States' constitution: "Contrary to American law –Rabasa held–, ours needed to constitute a strong central Government", even at the risk of moving back to "absolute and centralized governments" (Rabasa 1912).

In Venezuela, Laureano Vallenilla theorized "democratic Caesarism" in the belief that "the caudillo's personal power is the real effective constitution of the country" and the democratic Caesar "is always the representative and regulator of popular sovereignty" (Vallenilla 1919).

In the constitutions of most Latin American countries, presidential dominance was affirmed with traditional, monarchical powers, including control of the army and veto power over legislation. But it was also bolstered through additional presidential powers in contrast to constitutional regulations in the U.S., such as longer presidential terms, unconstrained powers to appoint and remove members of cabinet and other high officers, legislative initiative, capacity to dictate legislative decrees, fiscal and administrative authority, discretionary emergency powers, suspension of constitutional guarantees and, in formally federal countries, the right to intervene in state affairs. The other side of this same coin was weak congresses, which were not usually given any control over the cabinet and were frequently constrained by limits on legislators' re-election, short session periods, and a lack of resources. Aply, this type of regime came to be known as 'presidential' or 'presidentialist' (as recurrent-



ly remarked in the literatures of both the old-institutionalism and functionalist sociology, including García Calderón 1914, Fitzgibbon 1945, Loewenstein 1949, Davis 1958, Stokes 1959, Lambert 1963, Linz 1978, 1990, Linz and Valenzuela 1994, Aguilar 2000).

In almost all cases, a 'strong executive' was conceived as the means for affirming national sovereignty and effective government and as a substitute of a strong state. But in fact, unlimited personalistic power usually produced weak, arbitrary and confrontational governments, as well as frequent military dictatorships and inter-state conflicts. In more recent times, such proposals have been less common, but resurfaced with the 1999 constitution of the "Bolivarian" republic of Venezuela and its imitators.



5. Monarchical Legacies

The most direct 'monarchical' legacies of presidential regimes in Latin American countries can be identified by two marked traits: the frequency of military leaders acting as presidents, and the pervasive and repeated attempts at life appointments or indefinite reelections of the executive chief.

In the United States, for about one hundred years from 1789 to 1885 (when actual universal male suffrage was enforced), most presidents were high military officers, having had a career in the army either during the war of independence against the British or the Civil war. Only after World War I did military presidents become rare (WWII hero Eisenhower being the only exception). But most presidents since the mid-20th century were also proud of having served in combat in the army, whether in the Second World War or the Korean war. The presidency of the United States still includes the leadership of the army as one of its most defining elements. Initially, the presidency was a constitutionally given a great amount of foreign-policy powers for the greater ability of a single person to respond to a surprise attack or conduct military operations. But some presidents were accused of expanding their powers as they captured the decision to go to war. (Note: Some recent high executives managed to replace serving in combat with alternative occupations during the Vietnam war, including vice-president Quayle (1989-1993) and presidents Clinton (1993-2001) and Bush jr. (2001-2009), but they were criticized precisely for this. The first U.S. president to have benefited from the suspension of compulsory military service in 1973 is Obama, born in 1961, who won the election against Vietnam war hero McCain in 2008).

The frequency of military leaders as presidents in Latin American countries after independence was initially as high as in the United States, but this continued to be the case for a longer time. In most of the twenty countries, for most of the time from independence to the starting moment of the current democratic periods, most presidents were high military

officers. The country average time with a military as president is 47 percent (the maximum having been attained by Venezuela with 83 percent and the lowest by Costa Rica with 9 percent). Only during the most recent periods of democratization started in the 1980s or 1990s for most countries have military presidents been a minority (but there have been military presidents elected in eight of the countries). Table 1 presents the data and calculations.

From all of this, it can be inferred that it is not that presidential regimes have been unstable and conflictive because, due to some accidental historical coincidence, they have coexisted with strong political influence of the army or direct military rule (as hypothesized, most clearly, by Cheibub 2007). It is more relevant that presidential regimes were initially established and have been systematically reestablished after civil wars, revolutions and coups precisely because the rulers were army chiefs. As victorious military leaders had created monarchies in the past, in more recent times new military leaders at the head of weak states and wanting to preserve their power have endogenously chosen presidentialism. The military-presidential nexus is not accidental, but constitutive and substantial.

Almost all the current constitutions in both the United States and the twenty Latin American countries under scrutiny make the president the chief of the armed forces. The only exceptions are Bolivia and the two countries without armed forces, Costa Rica and Panama. This is in contrast, of course, with the usual competences of chiefs of state in parliamentary regimes (with just a few exceptions, such as the monarchy in Spain, which was established as such by a military dictator). In particular, in the English model, the rise of parliament and its appointed prime minister developed precisely against the power of the king as supreme military chief. A parliamentary regime implies that the army, as all other sectors of the public administration, is ultimately dependent of parliament, which appoints the prime minister and this, in turn, appoints the minister of defense in command. In most countries in Europe, the predominance of parliament has developed together with the expansion of the state beyond their previous concentration on military and security activity.

Regarding the duration of presidential terms, it is worth remembering that in the early times of Latin American independence, several kings and emperors were crowned. They include: Jean-Jacques Dessalines (1804-1806), Henri I Christophe (1811-1822), and Faustin I Elie Soulogne (1849-1859) in Haiti; Agustín I Iturbide (1822-1823) and Maximilian I (1864-1867), who adopted Iturbide's grandsons as his own sons, in Mexico; and Pedro I (1822-1831) and Pedro II (1831-1839) in Brazil.

Life appointments of presidents without explicit monarchical titles include: Dictator Simón Bolívar (1813-1830) in Venezuela and Gran Colombia; military officers Alexander Pétion (1806-1818), Jean-Pierre Boyer (1818-1843), Fabre Geffrard (1859-1867), as well as Papa Doc François Duvalier (1964-1971) and his son Baby Doc Jean-Claude Duvalier (1971-1986) in Haiti; Perpetual Supreme Dictator José-Gaspar Rodríguez de Francia





(1814-1840) in Paraguay; Tyrant Anointed by God to Save the Motherland Juan M. de Rosas (1835-1852) in Argentina; Caudillo Adored by the Peoples Rafael Carrera (1854-1865) in Guatemala; Father of the Poor Getulio Vargas (1930-1945) in Brazil; Genera-lísimo Leonidas Trujillo (1930-1961) in Dominican Republic; General Alfredo Stroessner (1954-1989) in Paraguay; and Supreme Chief of the Nation and Commander in Chief Augusto Pinochet (1973-1990) in Chile.

Another formula for indefinite tenure is successive reelection. In the United States, as mentioned, president George Washington set the standard at two four-year terms, which permits some accountability after the first term and prevents further cumulative advantage of the incumbent. This limit was broken only by F. D. Roosevelt in 1933-1944, as also mentioned above. In Latin America, continuous fake or fraudulent reelections backed, among others, the very long-lasting regimes of Antonio López de Santa Anna (1833-1855) and Porfirio Díaz (1876-1911) in Mexico, the three Augusto, Luis and Augusto Somoza (1933-1979) in Nicaragua; and Fidel and Raúl Castro (1959-) in Cuba. In Mexico, a one-term limit of six years was introduced in 1917, but every incumbent president appointed his successor for about eighty years.

Additional terms for presidential reelection have been introduced or reintroduced in most Latin American countries during the current democratic periods. Only a few countries retain the prohibition to reelect the president for more than one term: Costa Rica, Guatemala and Mexico. But non-consecutive reelection is constitutional in Chile, El Salvador, Panama and Uruguay. A second term, as in the United States, was approved in Argentina, Brazil, Ecuador and Peru. More than two terms have been introduced in the Dominican Republic (with Leonel Fernández now in his third term as president) and Venezuela (with Hugo Chávez since 1999), and are being attempted by incumbent presidents in Bolivia, Brazil, Colombia, Honduras, Nicaragua, and Paraguay. However, long dictatorships and successive reelections are countervailed by very high levels of instability and presidential turnover by irregular means. The average duration of near one thousand presidents in twenty Latin American countries over almost two hundred years is barely beyond 4 years, that is, below the average legal term (since different countries have had four, five and six year legal terms). No noticeable extension can be observed during the current democratic periods, as show in Table 1¹.

¹ The counting of "interrupted presidencies" in Latin America since 1985 can be found in Valenzuela (2004) and Edwards Hochstetter (2009). In parliamentary regimes in Western Europe, the average duration of a prime minister is about 4.7 years, that is, somewhat higher than the average legal term. This result is helped by the separation of the office of prime minister from the non-executive chief of state, whether a monarch or a president of republic, and the prevalence of collegiate and shared powers and of mutual controls between the parliament and the cabinet. Results: Belgium: 2.7 years, Denmark: 4.3, Finland: 1.8, Germany: 8, Ireland: 4 Italy: 2, Luxembourg: 9.1, Netherlands: 4.4, Norway: 3.2, Portugal 3.1, Spain: 7, Sweden: 5.8, and UK: 5, updated from data in Colomer 2008.

Table 1. Presidents in the Americas

Country	No. of presidents		Military % time		Av. years/president	
	Previous	Current	Previous	Current	Previous	Current
Argentina 1826-1983	42	5	56	0	3.7	5.2
Bolivia 1825-1982	55	10	59	15	2.8	2.7
Brazil 1822-1985	28	4	41	0	5.8	6.2
Chile 1817-1990	31	4	36	0	5.6	4.7
Colombia 1819-1958	38	12	48	0	3.7	4.3
Costa Rica 1838-1953	32	14	9	0	3.6	4.0
Cuba 1902-2012	15	-	63	-	7.2	-
Dominican R. 1844-1978	41	6	58	0	3.2	5.2
Ecuador 1830-1979	53	12	24	0	2.8	2.5
El Salvador 1824-1979	50	7	57	10	3.1	2.9
Guatemala 1839-1983	28	8	58	12	5.1	3.2
Haiti 1804-2012	37	-	46	-	5.5	-
Honduras 1839-1980	38	9	51	6	3.7	3.2
Mexico 1821-1994	28	3	58	0	6.2	6.0
Nicaragua 1838-1990	36	4	42	23	3.8	5.5
Panama 1904-1994	31	4	15	33	2.9	3.7
Paraguay 1844-1989	40	6	46	25	3.6	3.3
Peru 1821-1980	48	5	58	0	3.3	6.2
Uruguay 1828-1985	53	5	26	0	3.0	4.8
Venezuela 1811-1958	48	31	83	25	3.1	4.7
Country average			47	8.3	4.1	4.3
United States 1789-1885			52	6.0	4.6	5.5
Total No. presidents	793	152				

Source: Author's own elaboration

Note:

The total number of presidents counted is 945; interim presidents are not counted. For duration, consecutive reappointments or reelections are counted as one, while nonconsecutive reelection is counted as different presidents.

Source: Author's own elaboration.



6. Some implications for further reforms

As open as the foundational choices by the constituents in the new countries of the Americas were in the late 18th and early 19th centuries, they were severely constrained by the urgency to create a unifying focus for the disperse, new independent territories and by the limited information available concerning possible institutional alternatives. These factors led them to choose versions of 'monarchy' in the form of elected presidents with a high concentration of powers.

To a great extent, the decisions of the founding constituents can be understood as 'reactions' against the previous colonial political regimes which they were getting rid of. In spite of the broadly acknowledged creativity of the delegates in the Philadelphia convention in making propositive choices, they were heavily driven by the need to replace the existing British monarchy, as the Spanish-speaking leaders of independence in the region were also constricted to substitute the Spanish one. The main difference was that the former created just one presidency to replace one monarch, while the latter produced up to twenty one-person replacements for the previous individual. Only the Brazilians kept the hereditary Portuguese king and even appropriated him only for themselves.

In the United States, the initial institutional regime underwent important changes during the following decades. Inter-territorial conflicts and inter-institutional confrontation were relatively frequent in the 19th century. The peak was reached with the highly lethal Civil War in the 1860s, which was triggered by conflict between a northern president elected in minority and with the lowest proportion of popular vote ever and a congress dominated by an alternative majority, strongly rooted in the southern states.

Actually, a consistent set of institutional formulas was not stably fixed in the U.S. until the early 20th century. The organization of almost all the territory in 48 states with local self-government and voting for federal offices was completed only in 1912 (to which two more states were added by the mid 20th century). Regarding the federal institutions, only since 1876 have all the electors in the presidential college been chosen by popular vote instead of the state legislatures. The number of seats in the House of Representatives was fixed only in 1911. It was not until as late as 1913 that popular election of U.S. senators was established as a general formula for all the states. Military presidents ceased to be the norm as of the First World War. It was not until after that period that important administrative bodies and governmental and congressional agencies for financial, social and security affairs were created.

Some important institutional factors can help explain the relatively long duration and stability of the United States' political regime of division of powers. As more firmly established in the early 20th century, the framework of the United States' regime implies a set



of checks-and-balances between institutions that is more clearly defined than at its foundational stages. They embrace, above all, the inclusiveness of the 'vertical' division of powers between the federal and the state governments. At the same time, the biases of the electoral system for the House of Representatives, based on single-winners by plurality rule, is somewhat counteracted by primary elections and other forms of participation, especially at local and state levels, able to incorporate different groups and opinions into the process. Also, in situations of divided government, the propensity of bipartism to produce conflict or paralysis is reduced by significant levels of non ideological inclusiveness of local and single-issue popular demands and low levels of party discipline in congress. (For an overview of counter-majoritarian mechanisms in the U.S. system, Riggs 1988; for a critique, Dahl 2002).

In contrast, in most Latin American countries presidentialism was, and still is conceived by many as an instrument to concentrate power and strengthen government in each of the separate, weak states, rather than as a formula for the division of powers in a large federation. Presidential regimes were initially established by victorious military leaders wanting to preserve their power, a formula that lasted in many countries until late 20th century. Almost all presidents are supreme chiefs of the armed forces. But in fact, the high concentration of power into a single person has usually implied that severe limits are imposed on public action. Most states in the region are tiny and weak. They remain at relatively low levels of tax collection and public expenditure and have deficient law enforcement, both regarding individual rights and justice and large-scale public policy.

In the current democratic regimes in Latin America, governance is also difficult because constitutional models favoring high presidential concentration of powers tend to produce conflict between presidency and multiparty congress. Inter-institutional cooperation in correspondence with broad social support can be promoted by forming multiparty presidential cabinets. But, too often, the old tradition of presidentialism counts on preventing deadlock by the action of some strong, expeditious, effective decision maker. High expectations deposited into a single individual usually generate frustration; the promise of activism, energy and effectiveness tends to become paralysis. Institutional formulas promoting presidentialism feed a vicious circle by which neither the government nor the state gain significant strength. (Colomer 2002, 2005, Colomer and Negretto 2003, 2005).

After two hundred years since independence, the conditions for further changes and reforms of major political institutions in Latin America have changed significantly. Currently, technological and economic changes are promoting transfrontier trade, traffic and other exchanges, large scale territorial integration and new local specializations. All of this modifies some basic structures and can alter the inter-institutional relations between local and state governments and supra-state networks. Nowadays, the menu of alternative institutional formulas available and the knowledge of their likely effects on political processes



and outcomes is superior to those enjoyed by the founding fathers of American nations. New institutional designs to face the current challenges to governance are, thus, feasible. However, in contrast to the relative openness of choices in past foundational situations, new decisions are today heavily constrained by entrenched interests in the currently existing institutions, as well as by more constraining rules and procedures for institutional change.

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