Legislative Rules and the Amending Process in Argentina, Chile and Mexico: Theory and Evidence

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Abstract: This paper analyzes how legislative rules structure amending behavior in the lower chambers of Argentina, Chile and Mexico. The article emphasizes the theoretical relevance of voting agendas, order of voting, status quo position and sequence of amending moves by committees and floor challengers. It shows that although individual deputies can get improvements by introducing floor amendments, committees are usually able to mitigate the effects of unwanted changes. It also shows that in Chile (unlike Argentina or Mexico), the executive has procedural rights that allow him to respond to committee reports with amendments of his own, and that he uses these prerogatives often to protect presidential bills.

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Important policies such as credit card regulations and forestry development in Argentina; fishing limits and press privileges in Chile; and vehicle taxes and filmmaking rights in Mexico, have the content they do because the bills that established them were amended on the floor of the legislature. Such amendments are common, but the literature on Latin American political institutions has not scrutinized the structure under which congressional amendments are debated and voted on. Part of the neglect has been the result of a lack of interest in what had been portrayed as a predictable stage in lawmaking. From this perspective, once a bill is scheduled for floor debate the leadership of the majority party or coalition gets what it wants and little tends to happen to challenge its passage – committee bargains hold up on the plenary floor. But the real world of lawmaking in Latin American legislatures differs from this simplified picture. The amending process exhibits a lot of give and take, and substantive changes are often adopted on the plenary floor. When committees report controversial legislation, they frequently confront challenges to their hard struck bargains.

The rules governing the amending process can present a serious challenge to party leaders managing the congressional agenda. Latin American congresses operate under rules that allow all legislators and sometimes the executive to offer modifications to bills scheduled for plenary debate. All legislative parties, including those in the majority, face repeated defections on plenary votes and regular absences of fellow party members, both of which contribute to making latent (opposition) floor coalitions a real threat for reporting committees. Even leaders of disciplined partisan majorities, who tend to control the committees reporting legislation, are vulnerable to the unraveling effects of plenary amendments. Experienced members of congress may use their knowledge of the rules of procedure, partisan divisions, and the many dimensions of policy proposals to present amendments that can seriously threaten the position of reporting committees. Consequently, committees need to come to the plenary floor prepared to defend their version of the bill at stake.

1 Unlike the U.S. Congress, legislatures in Latin America do not give the steering committee the power to write special rules for a bill. Only in Chile, and only with the unanimity of party leaders, can the authorities schedule bills under closed rules.
This paper analyzes how legislative rules structure amending behavior in the lower chambers of Argentina, Chile and Mexico. It shows that although individual deputies can get improvements by challenging bills with floor amendments, committees have procedural advantages that enable them to mitigate the damages of such floor actions. It also shows that in Chile (unlike Argentina or Mexico), the executive has constitutional rights that allow him to respond to committee reports with amendments of his own, and that he uses these prerogatives often to successfully protect presidential bills.

The paper is divided into three parts, two theoretical and one empirical. The first part reviews a series of legislative rules essential to understand the structure under which amending takes place. It emphasizes the theoretical relevance of voting agendas, order of voting, status quo position and sequence of amending moves by committees and floor challengers. The second part presents two models that focus on the behavior of committees and legislators on the plenary floor, specifying the discretion of different actors as they amend legislation. It highlights prerogatives that give certain players the right to make the last move, and the substantive implications of recent changes in Mexican procedures. The last section presents data on amending activity. It shows how plenary behavior changed in the post-reform Mexican chamber of deputies; how committees in Argentina and more recently Mexico respond to floor challenges; and how the Chilean president actively (and successfully) participates throughout the amending process.

1 Amendment Rules

The amending process is governed by a complex set of institutions usually codified in the internal rules of the legislature and in the constitution. Although open amendment rules vary considerably from country to country, all legislatures tend to impose some restrictions on the timing, number and scope of permissible proposals. These rules affect the set of alternatives members of congress face when they vote on whether or not to change policy.

Some aspects of the rules of procedure are essential to understand the structure in which voting in the plenary takes place. Although many analysts have chosen not to deal
with apparently dry and dull rules, they sometimes provide information vital to illuminate congressional decision-making. Understanding amendment rules and voting methods is important for political analysis because it reflects the degree to which outcomes depend on structure rather than votes (Ordeshook and Schwartz 1987). The basic features can be evaluated by answering five questions:

i) Do floor amendments require qualified majorities to pass?
ii) Are there any pre-filing restrictions for plenary amendments?
iii) Can committees respond to plenary amendments with counter proposals of their own?
iv) How does the voting agenda used affect the choices the plenary faces?
v) How does the order of voting alternative proposals affect outcomes?

Below I review each question with particular attention to the procedures in place in the lower chambers of Argentina, Chile and Mexico. The relevant actors in all three countries are individual legislators and the reporting committee. In Chile the relevant actors also include the executive and the Finance committee (Hacienda), both formally endowed with the ability to present plenary amendments. After the institutional structure has been explained, I move on to model two types of interaction that illuminate the relative advantage of the major players.

1.1 Qualified Majorities

One salient although uncommon feature of rules of procedure is to require qualified majorities for the passage of floor amendments. This threshold significantly restricts the set of alternatives that could beat the status quo. Mexico is the only Latin American country that has had such a threshold in place for ordinary legislation.

The procedure employed in the Mexican Chamber of Deputies until early 2002 stated that any amendment admitted by a majority vote had to be referred to the committee with jurisdiction over the bill. This made the vote to admit an amendment equal to a motion to send the bill back to committee with indications. One way out of
recommitting the bill was for a legislator or a committee manager to request “urgent” attention to the bill, which required a majority of two-thirds of the votes to pass. If the required qualified majority considered the change urgent, it could then be voted during the same session (this last time by simple majority), rather than being returned to committee, where it might remain forever.

The high threshold in place had major implications for amending behavior. It provided Mexican committees with the means to prevent leadership bargains from wandering away during plenary debate by forcing legislators to present only amendments that enjoyed broad support. As we will see, dropping the qualified requirement lead to important changes in floor amending behavior.

1.2 Pre-Filing requirements

Another way for committees and party leaders to manage and fight the array of modifications offered by legislators is to require a deadline to present voting amendments. Committees and other party leaders can evaluate the consequences of each modification offered and respond in kind, sometimes accepting or rejecting amendments and other times responding with a new proposal. Committees that have time to manage possible threats before a bill is brought to the plenary have a noteworthy advantage over committees that may face new floor amendments as debate progresses.

Chile has strict pre-filing requirements that prevent deputies from offering floor amendments that were not previously directed to the committee with jurisdiction over the bill. Deputies may “renew” amendments rejected by the committee during analysis of the bill, but no new amendments are allowed on the floor. In addition to individual deputies, the Chilean executive and the Finance Committee may also introduce amendments of their own. Unlike individual amendments, which must be pre-filed, the latter two actors may present modifications without necessarily giving the main committee a chance to respond. This difference gives committees and the executive an advantage over the membership at large.

\(^2\) The Finance Committee is allowed to present a separate report on those particular matters in the bill that refer to expenditures or other money matters. The executive may introduce an urgency motion that forces a
Neither Argentina nor Mexico implements strict pre-filing requirements. Although the Argentine Chamber of Deputies has in place a rule that requires deputies to present proposed changes before debate, there are ways around this deadline and floor amendments are regularly allowed. In Mexico, any deputy with objections or changes to offer can reserve an article for the detail phase of voting, following approval of the bill in the vote in general. The challenged articles are subsequently debated during the particular stage, at which point floor amendments are permitted.

When pre-filing requirements are in place, committees usually end up having the right to make the last move. The next sections will show how the sequence of moves has important effects on the strategies pursued by the relevant actors on the plenary floor.

1.3 Last Move Advantage

Amending procedures often give committees the ability to respond to threatening amendments on the plenary floor with counter-proposals of their own. Bill managers in Argentina can respond to amendments with counter-proposals, after which voting takes place. In Mexico under the new procedure in place since early 2002, qualified majorities are no longer required, and committees respond to floor amendments during debate. As in Argentina, Mexican committees may accept or reject floor amendments or even respond with amendments of their own. In Chile no such floor activity takes place.

The agenda setting advantages derived from making the last move in the amending process were first theorized by Weingast (1989, 1992). In his analysis of the open rule in the U.S. House of Representatives, Weingast noted that procedures nearly always allow the proponents of legislation to respond to an opponent’s amendment, and argued that this prerogative can mitigate the potential damage of the latter. The committee cannot prevent

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committee report in a day, thereby precluding enough time to respond to all executive amendments. New individual amendments require unanimous support in a plenary vote to be discussed.

3 If the bill is debated without a formal committee report (after a required two-thirds majority vote) or if the report did not follow the above procedure (because it was issued just before debate or was not properly distributed or the committee changed the report after it was printed), then legislators are allowed to offer new modifications during plenary debate. This tends to be the most common procedure.

4 Under the new procedure a norm has developed such that no “urgency motion” with qualified majority is required to vote immediately and to avoid recommitting the bill.

5 Nevertheless, committees are able to respond to individual amendments during the committee stage. This is an advantage derived from the pre-filing requirements.
amendments from being offered and even passed in some instances, but by “fighting fire with fire” it can defend its interests and make gains on the floor.

The capabilities of the player making the last amendment can be shown in a two-dimensional example where alternative proposals are points in the space. Following the original model by Weingast (1989), consider three players, A, B, and C deciding on a proposal to change the status quo. Each player has an ideal point and they all like alternatives less, the further these are from their ideal points. For this example the status quo is located in an extreme position (outside the Pareto set). This is shown in Figure 1. Information is complete and players vote strategically. Indifference curves are drawn for each of the proposals and the status quo. The agenda game is as follows: first player C makes a proposal $X$ to change the status quo, then player A responds by making an amendment $a$, after which player C makes a counter-proposal $aa$.

The same logic applies to multiple actors. Consider Figure 2 with five players. Let the status quo be an extreme one (not shown) and give player C the ability to make the first and last proposal.

First player C makes a proposal located at his ideal point. A look at the indifference curves for the other players shows that the set of points that command a majority over the main motion is composed of two lenses (the winset of the committee’s article). Any alternative offered from within this set would beat the committee’s version.

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6 The logic also follows if the status quo is located inside the Pareto set.
7 The last mover could not have chosen an original proposal closer to his ideal point without leading to a worse final outcome than proposal $aa$. This is the result of the logic of the sequential amending moves.
8 Weingast (1989) first showed the advantage of making the last amendment in the case of three players and proved that this generalizes to an n-person game of the divide-the-dollar type.
For instance, player B can propose a substitute amendment $a$, which a majority composed of players A, B and E would prefer over the main motion. Player C can respond to this move with a symmetric counterproposal $aa$ that would peel away players A and E and form a new super-majority with player D. The response mitigates the effects of the first substitute, bringing the final outcome closer to the proponent’s ideal point. In this example, player C is not limited to responding with such a symmetric proposal; instead he could have chosen $aa'$ on the other lens, closer to his ideal point. The counter-amendment $aa'$ beats $a$ with the support of players D and E.

The player with the last move mitigates the effects of an amendment by responding with a counter-proposal that enjoys majority support when pitted against the amendment, the original bill and the status quo. Faced with the threat of an amendment, the proponent can respond with the best counter-amendment found in the area $W(SQ) \cap W(a) \cap W(C)$. This was first posited by Weingast for voting agendas in place in the U.S lower house. However, in Argentina and Mexico proponents are not restricted to choosing counter-proposals from the same set as U.S. committees. Differences in the voting agendas employed in Mexico and Argentina allow committees the possibility of choosing from a larger set. The second part of this chapter will show why.

1.4 Voting Agendas and the Status Quo

After a bill is reported to the floor and amendments are offered, the voting method employed can have significant effects on the final collective choice. The method of choosing between mutually exclusive legislative proposals, and the position of the status quo (i.e., when it comes up in the decision sequence and when it is the default alternative), varies across countries.

Latin American congresses divide voting into two stages, first a “general” and then a “particular” phase of voting. The general vote is on the intention to legislate on the matter as proposed in the committee report and the particular vote is on the different subsections of the bill. The first step involves an up or down vote on the bill, but this is

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9 Usually the committee’s version of the bill is presented as a majority report. Very rarely there is a competing bill to the main motion, such that the main bill has a challenge at the general vote. If such a
usually just one of several votes against the status quo. During the second phase, the
chamber can reject particular sub-sections of the bill, thus leaving the status quo in place
on that matter. After the particular stage is finished (all subsections decided), the bill is
usually considered passed without a final vote pitting the last (amended) version against
the status quo.10

The voting agendas in place to decide on the details of the bill vary cross-
nationally. The two most studied procedures are the so-called amendment11 and the
sequential-elimination procedures. The first is employed primarily in Great Britain and its
former colonies including the U.S., and the latter is mainly used in Continental Europe
and Latin America. The two archetypical methods have existed since at least the Roman
Empire (Farquharson 1969).

Under the amendment procedure, amending votes precede an enacting vote: a draft
bill is pitted against amended versions until, at the end, a surviving version is pitted
against the status quo. The winner is the alternative chosen in the last vote, after all other
alternatives have been voted at least once.

The Argentine and Chilean congresses employ a non-repetitive sequential
elimination (or successive) procedure and Mexico a hybrid version of it. Under the
sequential elimination method, mutually exclusive alternatives are voted up or down in a
given order. If a majority chooses one alternative, it is the outcome; voting on that section
stops, and all other mutually exclusive alternatives are considered rejected. Figure 3
provides an example of the basic amendment and sequential elimination procedures.

[Figure 3 about here]

The agenda set called A, has four elements \( S(A) = \{x_1, x_2, x_3, \text{sq}\} \), where each one
corresponds to an alternative outcome. Under the amendment agenda, a decision has to be
made about which two alternatives to pair first. In our example the decision is to start with
\( x_1 \) versus \( x_2 \).

10 Sometimes non-objected parts are considered approved together with the general vote. In contrast to other
Latin American countries, in Panama, the particular phase of voting is followed by a final vote on the last
(amended) version of the bill (as a whole) against the status quo.
11 The appropriation of the word “amendment” by U.S. scholars to describe the typical Anglo-American
procedure is certainly confusing – all voting agendas allow amendments.
Under the sequential elimination procedure a decision has to be made on the order of voting. If $x_1$ is chosen in the first vote, it is the outcome. Only if it is rejected can voters proceed to vote for $x_2$, and if $x_2$ is rejected the final vote is between $x_3$ and the status quo. The Mexican sequential elimination agenda differs from that employed in Argentina and Chile in a seemingly small and redundant detail. In Mexico after a substitute article is chosen (admitted), it is then paired against the status quo for final passage.

This is in fact a consequential difference as will be shown below. Proving that both procedures are non-equivalent also shows that the bill manager in Argentina has a larger set from which to pick a last proposal than a Mexican committee. The next section on voting order addresses this noteworthy variation, and the second part of this chapter models the last move in Argentina and Mexico.

1.5 The Order of Voting Mutually Exclusive Alternatives

When the plenary floor finally proceeds to vote, the order in which alternatives are presented can make a difference in the collective choice. When voting under either agenda type, if an alternative has a majority of first preferences it will be the outcome. When an alternative exists such that it beats every other alternative in a pairwise contest, it is called a Condorcet winner. If one of the alternatives is a Condorcet winner, it will be chosen, regardless of the voting order and agenda procedure utilized (McKelvey and Niemi 1978). In the absence of such clear-cut alternatives, collective intransitivity may emerge, making outcomes very sensitive to the order of voting.

Propositions about voting outcomes under different behavioral assumptions and agenda procedures build on the work done on solution sets. Ordeshook and Schwartz (1987) showed that under non-repetitive sequential elimination agendas, sophisticated voting leads to outcomes in the top cycle.\textsuperscript{12} The work of McKelvey (1976, 1979) showed that in the context of majority rule with Euclidean preferences, the global top cycle always exists. If there is a Condorcet winner it is the only element of the top cycle. In the absence of a Condorcet, the top cycle contains at least three alternatives, and there is a complete cycle of majority preference within it (Miller 1977b).

\textsuperscript{12} The top cycle is a comparatively large set that can have Pareto inefficient elements. If we think of a majority preference as a tournament (no ties allowed), the top cycle set $TC(X)$ includes all alternatives in $X$ such that: (1) for every pair of alternatives $x$ in $TC(X)$ and $y$ not in $TC(X)$, $xPy$; and (2) no proper subset of $TC(X)$ meets condition (1). The top cycle always exists. If there is a Condorcet winner it is the only element of the top cycle.
encompasses the entire alternative space (i.e., the agenda may make any alternative the outcome). Ordeshook and Schwartz (1987) showed that for every alternative in the top cycle, there is some sequential elimination agenda such that this alternative is the sophisticated outcome.

The order of voting is stipulated in the Argentine and Chilean rules. In Argentina, the committee’s proposal (or counter-proposal if one exists) is voted first and, if it is rejected, the minority party proposal comes second (more alternatives follow in order of the number of members endorsing them). In Chile the order of voting mutually exclusive amendments is in the hands of the president of the chamber, and these are voted before the main motion, which goes last. It is a norm of the Chilean lower house that amendments offered by the President are voted first. How is this relevant?

Consider the example in Figure 4, where five players decide over three alternatives and the status quo. Let's define a preference profile and a majority tournament. Take a set $N = \{1,2,\ldots,n\}$ of voters, $n$ odd, and a finite set $X = \{x_1, x_2, \ldots, x_m\}$ of alternatives; and assume each player $i$ has a (strict) preference order $P_i$. A preference profile is defined as an ordered $n$-tuple of preference orderings, $(P_1, P_2, \ldots, P_n)$, each an asymmetric weak order of the set of alternatives.\(^{13}\)

The majority preference relation $P$ for any $x_j, x_k \in X$ is defined,

$$ x_j P x_k \quad \text{if and only if} \quad |\{i \in N: x_j P_i x_k\}| > |\{i \in N: x_k P_i x_j\}| $$

The strict preference relation $x P y$ in the majority tournament is represented by an arrow from $x$ to $y$.

[Figure 4 about here]

The first example has five players $\{n1, n2, n3, n4, n5\}$ voting on three alternatives to the status quo $\{x_1, x_2, x_3, \text{sq}\}$, if nothing else passes, the status quo is the outcome. The three agendas shown differ in the order of amendments. For instance, the first agenda has alternative $x_3$ voted last against the status quo. Since $x_3$ beats the status quo, the second vote is really a choice between $x_3$ (the sophisticated equivalent at the last vote) and $x_2$.

Because a majority prefers $x_2$ to $x_3$, the first vote taken is actually a choice between alternatives $x_1$ and $x_2$ (the sophisticated equivalent in the second vote).

\(^{13}\) Strict (asymmetric) weak ordering, $x P, y \Rightarrow \neg y P, x$ and $(\neg x P, y \land \neg y P, z) \Rightarrow \neg x P, z$
The example shows equilibrium strategies under different voting orders. Under the first order, option $x_1$ wins; under the second order, $x_2$ wins; and under the last order, $x_3$ is chosen (subgame perfect equilibrium). This result is the same for Argentine, Chilean or Mexican agendas, given that all three proposals $\{x_1, x_2, x_3\}$ beat the status quo. When we lack a Condorcet winner and $x$ is an alternative in the top cycle, then for $x$ to be the sophisticated outcome it needs to be a voting option before any alternative $y$ in the top cycle such that $y \succeq x$. The voting outcome is the last and only alternative in the voting order that beats the sophisticated equivalent with which it is paired, and it is the Condorcet winner in the set of alternatives not yet paired.

Why is this relevant? Under the rules in place in Argentina and Chile, if an actor knows that his proposal will go last in the voting order, he needs to make an amendment that beats the status quo and those proposals voted earlier. But if an actor knows he will go first, the proposal only needs to beat the sophisticated equivalent with which it is paired.

Voting agendas in Chile demand that the committee proposal be a Condorcet winner if it is to pass. It is placed last in the voting order, so it needs to beat the status quo and all other amendments offered. Since any legislator can renew amendments rejected during the committee stage, the committee’s version needs to beat all those challenges in a pairwise contest.

Presidential amendments in Chile and committee proposals in Argentina are placed first in the voting order and only need to beat the strategic equivalent with which they are paired to be the outcome.

In Mexico results differ because winning proposals also need to beat the status quo. At a theoretical level, the requirement to beat the status quo is of normative as well as positive concern. Consider the following example in Figure 5. A majority prefers $a$ to $sq$, $sq$ to $b$, and $b$ to $a$. Under the agenda rules used in Argentina and Chile proposal $b$ voted first only needs to beat the strategic equivalent $a$ to win in the first vote. It does not need to beat the status quo. Under the agenda rules in place in Mexico, shown to the right, the outcome of the same contest would be proposal $a$. This result offers proof that the agenda types used in Argentina and Chile on the one hand and Mexico on the other are
not equivalent. Differences in agenda forms also have implications for the manner in which committees fight fire with fire, as we will see below.

[Figure 5 about here]

2. Models of the Amending Process

The main institutional features affecting the amending process are summarized in Table 1. These rules of procedure reveal important differences (and similarities) from congressional procedures in advanced democracies and stress the variety of institutions not yet scrutinized by legislative scholars.

[Table 1 – about here]

Below I show how these prerogatives interact to affect the choices legislators and committees face during the amending process. I concentrate on two aspects of agenda manipulation that highlight the sequence of moves. The first relates to the Mexican rules employed up to early 2002. It shows how committees benefited from the rules in place restricting floor majorities. Next I focus on the effect of committees’ ability to make a last proposal, a prerogative enjoyed by the Argentine bill manager, Mexican committees (under the new procedure) and, to a lesser extent, Chilean committees. I explain why when committees fight fire with fire on the floor, the size of the set from which agenda setters pick the last counter-amendment is in principle larger than the one identified in the formal literature on the U.S. House of Representatives.

2.1 The Proponent’s Game in the First Mexican Procedure

Mexican committees under the rules employed up to 2002 had an important prerogative that allowed them to mitigate the possibility of proposals wandering away during plenary debate. They needed a simple majority to have a bill accepted, but a qualified majority to have it changed. In those circumstances, how far can congressional amending move committee proposals? Figure 6 provides a visual answer to this question.

[Figure 6 about here]
We have the status quo (SQ), and the set of alternatives that defeat the status quo by a majority (the winset of the status quo W(SQ)). The committee proposes an article B which is located within the winset of the status quo W(SQ). The set of alternatives that are preferred to B by a majority is the winset of B, denoted W(B).

The set of alternatives that can defeat the committee proposal B by a qualified majority Q is represented by the shaded area Q(B). While the winset of the status quo exists almost always, we cannot say the same about the qualified majority winset of B. Indeed, there may not be points that command a qualified majority of votes to beat the committee.

If a legislator proposes an amendment S that a majority prefers to both, the status quo SQ and the committee’s article B, its passage would be equivalent to recommitting the bill. It would pass by a majority but not by a qualified one. Because indications are not binding and committees could come up with yet another version or none at all, the majority has to compare what it would get in a second round to the certain benefits it could get by voting now. Time between first and second rounds cannot be determined a priori (no committee deadlines or discharge procedures are in the rules). Moreover, the motion to recommit in Mexico is not “with instructions to report forthwith,” which would have implied that the instructions become the final amendment to a bill that is automatically rescheduled (as it is in the lower chamber in the U.S.). Until a decision is made the status quo prevails.

But instead of waiting with SQ (by choosing to recommit), the majority could just as well pass the committee proposal (because B is preferred by a majority over SQ) and then introduce new legislation changing policy from B to anything in W(B). Passing the committee’s version in the first place allows the majority to enjoy the benefits of improving the status quo until the second round is played (if it is).

Legislators could successfully introduce proposal S’, located in the intersection of Q(B) and W(SQ). Such consensual proposals would pass, moving policy away from the committee’s proposal but presumably not too far. The committee can, of course, reduce such changes by being strategic and anticipating the size of Q(B) before reporting the bill.

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14 For an analysis of the motion to recommit in the U.S. see Krehbiel and Meirowitz (2000).
However not all proposals that beat $B$ by a qualified majority win at final passage. If a proposal $S''$ is offered, a cycle arises. The original proposal $B$ from the committee beats $SQ$ and the new proposal $S''$ beats $B$ but loses when pitted against $SQ$. What would the outcome be in this case?

The game tree in Figure 7 guides us through to the answer by showing the sequence of moves. Here a legislator proposes $S''$ as an amendment to change a committee article $B$ under the voting agenda used in Mexico. The first vote is on admitting $S''$. If rejected, the vote is between the committee’s version $B$ and the status quo. If admitted, a qualified majority vote can make it an urgent matter after which a simple majority is enough for final passage.

[Figure 7 about here]

The result shows that the committee’s proposal can even defeat some amendments that a qualified majority prefers. Working backward from the last vote, we can see that on the right side $B$ beats $SQ$ and is the strategic equivalent to rejecting $S''$ on the first vote (strategic equivalents are shown in parenthesis). In the last vote on the left side of the agenda tree $SQ$ beats $S''$ and bubbles up to the top of the tree making the first vote on admitting $S''$ equivalent to a choice between $B$ and the status quo, which $B$ wins (subgame perfect equilibrium).

The earlier Mexican procedure gives committees the right to move first and select from a larger area than legislators in the Plenary. It imposes tight limits on the type of amendments that would be successful in a plenary vote. Under these rules amendments are restricted to the area $W(SQ) \cap Q(B)$. Because $[W(SQ) \cap Q(B)] \subseteq W(SQ)$ the committee has a larger area to select from than legislators on the plenary floor. Strategic proponents of legislation can calculate this constraint area before making an optimal first move and thus mitigate the risks that their proposals will go astray.

Notably, the change in the Mexican procedures in 2002 has been two-fold: the super-majority requirement has been eliminated, allowing the membership at large more freedom to amend, and the committee has reemerged in a much more active and engaged role, responding to threatening amendments on the floor. As in Argentina, committees now take action with counter-proposals of their own.
2.2 Committee’s Last Move in Argentina and Contemporary Mexico

Argentine bill managers when fighting fire with fire on the plenary floor need only to beat the strategic equivalent with which they are paired – not necessarily the status quo or their own original proposal.

Figure 8 revisits the prior 3-player example of the last move advantage. The status quo \( SQ \) is now located inside the Pareto set of the three players. The proponent is player C, who introduces proposal \( X \) located on the segment CA. The motion is located inside the winset of the status quo. Next, player B responds with an amendment \( a \) located in the winset of \( X \). Lastly player C makes a last counter-proposal.

Under Argentine voting agendas player C can move a counter-amendment \( aa \) and win, despite the fact that \( aa \) is not located inside \( W(SQ) \). This is because it beats the sophisticated equivalent with which it would be paired (in this case \( a \)). Under Mexican agendas or under those employed in the U.S. this is not possible. In these countries, because Player C would also have needed to beat \( SQ \), the counter-proposal would have been \( aa' \), farther away from C’s ideal point.

In Mexico committees can choose a counter-amendment from those available in the area \( W(SQ) \cap W(a) \), while in Argentina committees can choose counter-proposals from the area \( W(a) \).

Differences between the Argentine and Mexican procedures and those studied for the U.S. House of Representatives can be shown by revisiting the 5-player example, as shown in Figure 9.

Again the status quo is extreme and not shown, and the proponent is player C, which proposes its own ideal point. Player A moves amendment \( a \), which needs to be located in the winset of the first proposal (two lenses shown in thin lines, as in the earlier example). But here Player C does not need to respond with a counter-proposal located in the area \( W(SQ) \cap W(a) \cap W(C) \). Instead it only needs to introduce a counter-amendment in the area representing the winset of \( a \) (the three lenses drawn with thicker lines).
Under Argentine or Mexican agendas, Player C could introduce the counter-proposal \( aa \) located next to his ideal point and win. It would be the outcome because \( aa \) beats the strategic equivalent with which it is paired (\( a \)). Given that this example has an extreme status quo, both Argentine and Mexican committees could present \( aa \) and win.

To summarize, given that \( [W(SQ) \cap W(a) \cap W(C)] \subseteq [W(SQ) \cap W(a)] \subseteq W(a) \), under sequential elimination agendas Argentine bill managers have a larger set to choose from than Mexican committees, which in turn choose from a larger set than U.S. committees under Anglo-American styled agendas. The reason is that under the specific voting agendas in place, counter-amendments may not need to be paired against the original proposal (in Argentina and contemporary Mexico) or the status quo (in Argentina).

### 2.3 Discussion

The theoretical sections have advanced a series of propositions about the effects of structural constraints on the behavior of legislators and committees on the plenary floor. The analysis has emphasized the implications of recent changes in Mexico, and the right of committees in Argentina, Mexico, and to a lesser extent, Chile to respond to threatening amendments on the floor with a last counter-proposal.

Reporting committees have prerogatives that allow them to mitigate unwanted confrontations on the floor. When a committee proposal is challenged with an amendment an Argentine committee has to choose a counter-proposal that beats the amendment, a Mexican committee has to respond with a counter-proposal that beats the amendment and the status quo, and a Chilean committee has to present a Condorcet winner to the plenary floor to begin with. In addition, the analysis has highlighted the amending rights given to the Chilean executive. When Chilean presidents present amendments, these have to beat the strategic equivalent with which they are paired (most likely the committee proposal, not necessarily the status quo).

The next section presents data on amending activity showing the consequences institutional structure. It complements the theoretical work with an analysis amendments moved on the plenary floor of the Argentine, Chilean and Mexican Chambers of Deputies.
3. Amending Data

In this part of the paper I concentrate on empirical data that corroborate some of the implications of the prior analysis. Other relevant theoretical propositions will remain untested for now. First, I present evidence to support the claim that in Mexico changes in amending rules during the same congressional period have led to different patterns of legislative behavior on the plenary floor. This change was encouraged by lifting the requirement of qualified majorities for passage of floor amendments and has resulted in increased amending activity. Next, I concentrate on the behavior of Argentine and Mexican committees. The prior section predicted that, given the chance, committees would respond to floor amendments with counter-proposals of their own. It also predicted that committees would succeed in passing counter-proposals. The analysis presented below supports these predictions. Lastly, the empirical section illustrates the prominent role of the Chilean president throughout the amending process. The Chilean congress has the ability to make fundamental changes to executive bills, but the president has the means to mitigate such changes by forcing the floor to vote on his counter-amendments first. The data will show that presidents often protect their legislative proposals by moving amendments on the plenary floor. When they do, Chilean presidents are extremely successful.

3.1 Mexico’s Changing Floor Behavior

The Mexican chamber of deputies during the 58th congressional session (2000-2003) offers an ideal setting to study the effects of legislative institutions. Within the same period, rules structuring floor amendments changed in salient ways. Consequently we can observe the behavior of the same deputies before and after institutional reform. The change in the incentive structure should be reflected in the behavior of legislators on the plenary floor.

15 This section does not illustrate the strategic interaction theorized in the prior sections. For specific examples of how major bills have been amended and how committees mitigate unwanted changes with counterproposals, see chapter 7 in Alemán (2003).
The first procedure, in place until early 2002, required qualified majority support (two-thirds) to introduce modifications to a reported bill, but a simple majority to pass motions to reject a sub-section of the bill (e.g., delete an article). The new procedure lowered the threshold to a simple majority for both a motion to delete a section and for the passage of amendments (modifications).

How should the change in amending rules affect legislative behavior on the plenary floor? In the post-reform period we should find not only an increase in the number of amendments offered and passed, but we should also find a decrease in the proportion of motions to delete, which are no longer favored by a lower majority requirement (vis-à-vis modifications).

To look for evidence of a change in legislative behavior, I collected information on amendments offered on the plenary floor during the 58th legislative period. The first procedure was the only one in place throughout the first year and the new version has been the only procedure since mid-2002. Table 2 summarizes the information.

[Table 2 about here]

The first three rows show the total number of bills voted and how many were challenged on the floor. During the two periods of the first year the chamber voted on a total of 35 bills, 24 of which were unchallenged. The proportion challenged jumped later in the 3rd year when deputies voted on 53 bills, of which 26 were unchallenged. The overall percentage of contested bills in the last period (50.9%) was higher than in the first year (31.4%).

The next series of rows presents information on bills challenged only by motions to delete (up or down votes on specific sections) and those bills challenged with amendments (add, modify, substitute).

Under the first set of rules (First Year), four of the eleven contested bills were challenged by legislators on the plenary floor only by motions to delete a particular article. In the last period, when the majority needed for amending and deleting became the same, none of the twenty-seven contested bills was challenged only with motions to

---

16 It is important to point out that the first period of a legislative year usually includes debates on the two budget bills and other important tax legislation, thus making it less consensual than the second period.
delete. The number of such motions per contested bill dropped from 1.4 in the First Year to 0.2 in the Third Year.

In regards to bills challenged with amendments, the data show an increase in activity following the change in the rules of procedure. In the Third Year more than half of all bills (50.9%) attracted amendments, up from less than one fifth during the First Year. The total number of amendments grew from 53 to 219. The number of amendments per contested bill also went up: from 4.8 during the First Year to 8.1 under the new rules.

Furthermore, increases in amending activity came together with greater plenary acceptance of such motions. The rate of success in getting amendments passed rose form 30.2% in the First Year to 59.8 % during the Third Year.

The data presented lends support to the hypothesis that institutional change in Mexico’s Chamber of Deputies led to changes in legislative behavior. Amending behavior is consistent with the proposition that institutional reforms allowing legislators to choose amendments from a larger set of alternatives is associated with more floor amendments being offered and more bills being amended at the plenary stage. The figures also show that reserving an article just to propose its rejection is no longer the main way to challenge a committee on the floor. An amendment is now the typical motion moved. This is, again, consistent with the change in incentives.

The changes in legislator activity brought about by institutional reform also increased the need for committees and other party leaders to become more active in the amending process and to be ready to fight threatening amendments with counter-proposals of their own. The next section will show how active and successful Mexican committees were in responding to this increase in amending activity.

3.2 Fighting Fuego with Fuego – Argentina and Mexico

Legislative rules allow Argentine and Mexican members of congress to present amendments to committee reports, threatening leadership and committee bargains and opening up the possibility for worrisome changes. Given the possibility of hostile amendments, committees need to come to the plenary floor prepared to fight “fire with fire,” to paraphrase Weingast (1989, 1992).
Committees can fight unwanted amendments with counter-proposals of their own, mitigating the possible damage of the former. As the theoretical discussion showed, the implication of such prerogatives is that committees should be very successful on the floor. The counter-amendments, the theory predicted, should receive the support of a plenary majority and successfully pass a final vote. \(^{17}\) This advantage should manifest itself in both the Argentine and the Mexican Chambers of Deputies.

To illuminate this interaction with real legislation, I present information on amending activity in both chambers. Table 3 shows data on bills amended in the lower chambers of Argentina and Mexico. The figures from Mexico come from the post-reform period (second half of 2002) and those for Argentina shown below come from the 116\(^{th}\) congressional session (1998). The total number of bills amended during these periods is 27 in Mexico and 16 in Argentina.

[Table 3 about here]

The first rows show amendments moved by the committee with jurisdiction over the bill to modify its own report on the floor. These changes to the committee report occur often in both chambers and are classified apart because they are not explicit counter-amendments, since they did not arise in response to a prior floor motion to amend. Instead they tend to be implicit counter-proposals to concerns brought by deputies or other influential actors to the committee prior to debate. On the plenary floor when these committee proposals are introduced, bill managers tend to refer to them as last minute changes that incorporate deputy concerns. Such public statements seek to emphasize the committee’s willingness to accommodate non-committee concerns.

The first row provides information on these committee amendments to their own report. In both countries these motions have a perfect record of passing a final plenary vote. In the Argentine chamber of deputies they represent 24.5\% of amendments offered on the plenary floor and 41\% of those passed. In Mexico they represent 15\% of all amendments offered on the floor and 27\% of all amendments passed. \(^{18}\) These motions reflect not only committee success at preemptsing floor amendments but also the effect of floor prerogatives that force committees to make last minute changes to make proposals

\(^{17}\) Of course, lack of information may cause occasional (but rare) mistakes.

\(^{18}\) In both cases, the denominator does not include counter-proposals.
palatable for final passage. The rows that follow present data on the committee’s response to amendments moved by individual deputies.

Committees often support amendments moved by individual deputies on the plenary floor. The reading of the motions and debates surrounding these proposals suggest that these are of two types: minor amendments, and changes brought in with prior committee consensus.

In Mexico, deputies moving an amendment already negotiated with the committee tend to mention such consensus as they make the motion. Of all amendments moved by deputies on the plenary floor, Mexican committees supported 18.3%. In the Argentine Chamber of Deputies committees supported 28.3% of amendments moved by legislators. In both countries, deputy amendments with committee support were always successful in final passage votes. The committee’s blessing appears to ensure a swift and secure approval.

Committees can also reject amendments outright. Here the results for the two chambers differ.

Although none of the amendments rejected by Argentine committees was ever successful on final passage, they still represent a large proportion of all floor motions offered by deputies (41.7%). In Argentina amendments rejected by committees could only be voted if the committee’s proposal is defeated, given the sequential elimination agenda employed and the fact that committee proposals come first in the voting order. In practice, because the committee’s proposal is never beaten, these rejected amendments are never actually voted (even though they are an alternative in the agenda tree).

Mexican committees reject a lower proportion of individual amendments. Unlike Argentine committees, Mexican committees do not have to take a position on floor amendments. Committees may expressly reject an amendment or they may withhold opinion. In Mexico, where no majority party controls the committee, partisan divisions sometimes preclude a unified committee response. In both cases proposals are unlikely to pass. Just two amendments rejected (14.3% of all those rejected by committee) and

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19 On some apparently (from the context of the debate) obvious occasions the president of the chamber does not bother to ask for the committee’s position.
nine proposals without a committee position (11% of all without a committee position) passed a final vote.

Important for the theoretical propositions advanced in the prior chapter are the results for committee counter-proposals. How often and how successful are committees when they fight fire with fire on the floor?

In both countries this is an important committee strategy. In Mexico committees responded to 39 amendments (23.7% of all deputy amendments) with a total of 42 counter-proposals of their own. In Argentina committees responded to 36 amendments (30% of deputy amendments) with a total of 22 counter-amendments.20

Counter-amendments by Mexican committees succeed 95.1% of the time. If the deputy moving the amendment is displeased by the counter-amendment and insists on his proposal, this is voted first. In the four cases in which amendments were not withdrawn, deputies lost and committees won with the subsequent counter-amendments. The counter-proposals usually enjoy the support of the deputy moving the original amendment, who subsequently proceeds to withdraw the motion. This is also consistent with the theoretical work, in that legislators moving amendments would tend to end up with improvements over the first proposal, by forcing the committee to form a coalition around a last alternative option.

In the Argentine Chamber of Deputies, every counter-proposal moved by a committee passed a plenary vote, beating the original amendment. Because in most cases during debate on the bill the deputy originally moving the amendment does not respond verbally to the committee’s counter-proposal, it is not possible to determine whether or not they supported it in the end.21 What we do know for sure is that the committee had an impressive record throughout debate.

The empirical evidence from Argentina and Mexico supports the proposition that committees are active players during the plenary amending process and shows that committees have high success rates on the plenary floor. It shows that amendment rights give individual deputies the opportunity to challenge committee reports on the floor, and that these challenges are serious enough that they lead bill managers to fight fire with fire.

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20 The difference arises because Argentine committees sometimes respond to more than one amendment with one counter amendment.

21 This is compounded by the fact that most of these votes are not recorded.
The data from Mexico show that even in a context of partisan divisions within committees, they respond to more than half of all amendments offered by individual deputies. Responding to amendments with counter-proposals of their own is a common strategy for committees trying to mitigate the effects of legislative rules that permit individual deputies to threaten committee bargains. Counter-proposals, as predicted, have a very high success rate.

3.3 Chile’s Far Reaching Executive

Chile has codified a prominent role for the executive in the amending process. Here I concentrate on showing executive activity and success at having amendments accepted on the floor of the Chamber of Deputies. Table 4 presents data on executive amendments and urgency motions from the 342nd and 343rd legislative sessions (2000-2001). During this time 55 bills were voted, 37 of which were introduced by the executive branch.

[Table 4 about here]

Several works have highlighted the prominent role of the president as a proponent of important legislation (Londregan 2000, Siavelis 2000, Carey 2002). Executive involvement in lawmaking continues throughout the amending process, where he actively protects his proposals from congressional changes. The president presents amendments to committees and the plenary floor. During the committee stage, the president presented amendments to 45.9% of his own bills. Committee members had to vote on each of them. The Chilean executive is also active during final passage. Almost all the amendments the executive brings to the plenary floor seek to modify executive bills. During this period the executive presented floor amendments to 21.6% of his own bills. Executive bills were also voted under very short deadlines most of the time, with 35.1% of them under the shortest of all deadlines (1 day for congressional debate).

One reason for the executive’s focus on his own bills is that presidential proposals tend to be of greater importance and attract greater public attention (Londregan 2000,

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22 Members of the executive branch also participate in these meetings. The committee member presenting the bill for a vote usually points out before opening debate, the participation of the executive during the committee stage.
Siavelis 1997, Carey 2002). This provides an additional incentive for actors other than the president (congressional committees, legislators from the opposition or the majority) to seek modifications to such proposals, which then causes greater executive attention.

The data presented in Table 4 corroborates the notion of a president, with several formal rights to affect the passage of legislation, actually immersed in the amending process. Either through amendments or through deadlines, the president sought to protect most bills. A total of 75.7 % of executive bills and 33.3 % of congressional bills had some type of presidential amendment or deadline.

The theoretical section also highlighted two procedural advantages for the executive (the possibility of moving amendments after the committee report and first place in the order of voting on the plenary floor) that together would give him another useful tool to mitigate unwanted congressional changes.

Data from Chile’s lower chamber allows us to assess the relative amending success of the president, legislators and the Finance committee. To differentiate each actor’s record on the floor, I run a logit regression on amending data for the 342\textsuperscript{nd} and 343\textsuperscript{rd} legislative sessions. The model has a series of dummies for each of the possible proponents as the independent variables and a control for those bills proposed by the president. The left out category is that for amendments originated by Concertación deputies (members of the majority). The results for this regression appear in Table 5.

The figures show that the executive’s probability of winning acceptance of an amendment is significantly higher than that for individual members of the majority coalition. It is interesting to note that although the coefficients are all in the direction that suggests Concertación deputies fare better than opposition deputies, the difference is not very robust. The only actor who has success at significantly higher rates than all others is the president.

The theoretical work presented earlier has suggested that the variety of agenda setting prerogatives given to the president provide him with the tools to fight off unwanted changes. Presidential amendments to committees, amendments to the floor, sudden deadlines, cabinet ministers attending committee meetings, are common strategies in the enactment of legislation in Chile. This interaction between the legislative and
executive branches of government is very different from that observed in the United States or in other presidential democracies like Argentina, Mexico, and Brazil.

4. Conclusion

The amending process is one of the critical stages in lawmaking. Bills can be changed in major substantive aspects, or be defeated in the process. In Latin America the prevailing open rules give members of congress the right to amend bills on the plenary floor. This freedom creates the opportunity for back and forth bargaining - a welcome characteristic of democratic politics. But it also means that, when controversial policy matters are debated, congressional committees can expect challenges to their version of the bill. Although members of congress can make improvements on the floor, plenary changes cannot wander anywhere. As this paper has shown, Latin American committees have tools to mitigate the damaging effects of amendments presented by individual members of congress.

Latin American legislative procedures differ from the better known and widely studied mechanisms in place in the U.S. House of Representatives. These prerogatives affect the alternatives that committees, individual legislators, and even the president face when bills are debated on the plenary floor. This paper demonstrated why voting rules, the sequence of moves, and threshold requirements shape collective choice. The analysis focused on the amending process in Argentina, Chile and Mexico. It showed how agenda structure and presidential prerogatives affect the feasible proposals available to legislators and committee managers and presented evidence of amending behavior to corroborate some of the theoretical implications. Building better theories of legislative politics in Latin America demands further scrutiny of the structure regulating the amending process. Only by understanding the full process of legislative policy making can we understand how institutions affect substantive policy outcomes.
Bibliography


FIGURE 1

BILL PROPONENT WITH THE RIGHT TO MAKE THE LAST MOVE

(3 PLAYERS)
FIGURE 2
(5 PLAYERS)
Figure 3
VOTING AGENDAS

Amendment Agenda
\{x_1, x_2, x_3, sq\}

Sequential-Elimination Agenda

Mexico’s Version
\{x_1, x_2, x_3, sq\}
Figure 4

Order of Voting in Sequential Elimination Agendas

<table>
<thead>
<tr>
<th>Preference Profile</th>
<th>N1</th>
<th>N2</th>
<th>N3</th>
<th>N4</th>
<th>N5</th>
</tr>
</thead>
<tbody>
<tr>
<td>x₁</td>
<td>x₁</td>
<td>x₂</td>
<td>x₃</td>
<td>x₃</td>
<td>x₃</td>
</tr>
<tr>
<td>x₂</td>
<td>x₂</td>
<td>x₃</td>
<td>x₁</td>
<td>x₁</td>
<td>x₁</td>
</tr>
<tr>
<td>x₃</td>
<td>sq</td>
<td>x₁</td>
<td>x₂</td>
<td>x₀</td>
<td>x₀</td>
</tr>
<tr>
<td>sq</td>
<td>x₃</td>
<td>sq</td>
<td>sq</td>
<td>sq</td>
<td>sq</td>
</tr>
</tbody>
</table>

# 1

1. (x₁)
2. sq
3. (x₂)

# 2

1. (x₂)
2. sq
3. (x₃)

# 3

1. (x₃)
2. sq
3. (x₁)
Figure 5

Voting the Status Quo

Majority Tournament

# 1 (for Argentina and Chile)  # 2 (for Mexico)
# Summary of Amendment Rules

<table>
<thead>
<tr>
<th>Procedure</th>
<th>ARGENTINA</th>
<th>CHILE</th>
<th>MEXICO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Rules</td>
<td>No</td>
<td>Closed Rules with unanimity of party leaders</td>
<td>No</td>
</tr>
<tr>
<td>Executive Amending Rights</td>
<td>No</td>
<td>Yes - floor amendments and deadlines</td>
<td>No</td>
</tr>
<tr>
<td>Pre-Filing Requirements</td>
<td>Yes (not always enforced)</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Qualified Majority for Passage</td>
<td>No</td>
<td>No</td>
<td>Yes until early 2002, avoided thereafter</td>
</tr>
<tr>
<td>Last Move Advantage by Committee</td>
<td>Committee responds to amendments on the plenary floor</td>
<td>Not on the Floor - During committee stage against amendments offered by legislators</td>
<td>Under the new procedures, committees respond to floor amendments</td>
</tr>
<tr>
<td>Voting Agendas</td>
<td>Sequential elimination</td>
<td>Sequential elimination</td>
<td>Sequential elimination hybrid</td>
</tr>
<tr>
<td>Order of Voting</td>
<td>Committee proposal first; others follow depending on numbers of supporters</td>
<td>Committee proposal last; norm that presidential amendments go first</td>
<td>Not established, usually committee proposal last</td>
</tr>
</tbody>
</table>
Figure 6

Choices under Mexico's First Procedure
Figure 7

Mexican Agenda for Example under First Procedure
Figure 8

Revisiting the Last Move Advantage
Figure 9

Wider Set of Options for Argentine and Mexican Committees
### Table 2

**Mexico, Changes in Amending Activity**

(58th Legislative Session, 2000-2003)

<table>
<thead>
<tr>
<th></th>
<th>Pre-Reform*</th>
<th>Post-Reform **</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1st Year</td>
<td>3rd Year</td>
</tr>
<tr>
<td>Total Bills Voted (decretos o leyes)</td>
<td>35</td>
<td>53</td>
</tr>
<tr>
<td>Bills unchallenged</td>
<td>24</td>
<td>26</td>
</tr>
<tr>
<td>Contested</td>
<td>11</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>31.4 (%)</td>
<td>50.9 (%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bills challenged only by motions to delete</th>
<th>Pre-Reform*</th>
<th>Post-Reform **</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1st Year</td>
<td>3rd Year</td>
</tr>
<tr>
<td>as % of total bills</td>
<td>11.4 (%)</td>
<td>0 (%)</td>
</tr>
<tr>
<td>Total number of motions to delete</td>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>per contested bill</td>
<td>1.4</td>
<td>0.2</td>
</tr>
<tr>
<td>supported by plenary</td>
<td>2</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bills challenged with amendments</th>
<th>Pre-Reform*</th>
<th>Post-Reform **</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1st Year</td>
<td>3rd Year</td>
</tr>
<tr>
<td>as % of total bills</td>
<td>20.0 (%)</td>
<td>50.9 (%)</td>
</tr>
<tr>
<td>Total number of amendments (add/modify)</td>
<td>53</td>
<td>219</td>
</tr>
<tr>
<td>per contested bill</td>
<td>4.8</td>
<td>8.1</td>
</tr>
<tr>
<td>rejected</td>
<td>37</td>
<td>85</td>
</tr>
<tr>
<td>admitted</td>
<td>16</td>
<td>134</td>
</tr>
<tr>
<td>with qualified majority required</td>
<td>16</td>
<td>8</td>
</tr>
<tr>
<td>admitted and passed on final vote</td>
<td>16</td>
<td>131</td>
</tr>
<tr>
<td>as % of total amendments</td>
<td>30.2 (%)</td>
<td>59.8 (%)</td>
</tr>
</tbody>
</table>

* Qualified majority (tw-thirds of votes) required for floor amendments to pass.

** Includes data for the first (longer) period only. Data for the 1st Year includes both periods.

**Source:** Diario de Debates and Versiones Estenográficas, Cámara de Diputados, EUM.
### Table 3
Committees and Amendments in Argentina and Mexico

#### I. Amendments in Mexico
(1st Period 3rd Year of 58th Legislative Session, 2002)

<table>
<thead>
<tr>
<th>Amendments</th>
<th>Total Amendments</th>
<th>Rejected by Plenary</th>
<th>Admitted by Plenary</th>
<th>Passed by Plenary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee amendments to its own report</td>
<td>21</td>
<td>0</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>special non-germane additions*</td>
<td>8</td>
<td>0</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Deputy amendments</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>rejected by committee</td>
<td>14</td>
<td>12</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>accepted by committee</td>
<td>30</td>
<td>0</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>committee responded to (...) amendments</td>
<td>39</td>
<td>4</td>
<td>~</td>
<td>~</td>
</tr>
<tr>
<td>with (...) counter-proposals**</td>
<td>41</td>
<td>0</td>
<td>41</td>
<td>39</td>
</tr>
<tr>
<td>no position by committee</td>
<td>81</td>
<td>71</td>
<td>10</td>
<td>9</td>
</tr>
</tbody>
</table>

*These are non-germane additions to bills that required an urgent motion

**In 35 cases the deputies that moved the amendment supported the committee's response and did not insist on their original amendment. In the 4 cases in which deputies insisted in the face of counter-proposals they lost.

#### II. Amendments in Argentina
(116th Legislative Session - 1998)

<table>
<thead>
<tr>
<th>Amendments</th>
<th>Total Amendments</th>
<th>Passed by Plenary</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee amendments to its own report</td>
<td>39</td>
<td>39</td>
</tr>
<tr>
<td>Deputy amendments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>rejected by committee</td>
<td>50</td>
<td>0</td>
</tr>
<tr>
<td>accepted by committee</td>
<td>34</td>
<td>33</td>
</tr>
<tr>
<td>committee responded to (...) amendments</td>
<td>36</td>
<td>~</td>
</tr>
<tr>
<td>with (...) counter-proposals**</td>
<td>23</td>
<td>23</td>
</tr>
</tbody>
</table>

SOURCE: For Mexico, Diario de Debates and Versiones Estenográficas, Cámara de Diputados; for Argentina, Versiones Taquigráficas, Cámara de Diputados.
### Table 4

**CHILE’S FAR REACHING PRESIDENT**

*(342nd and 343rd Legislative Sessions, 2000-2001)*

<table>
<thead>
<tr>
<th>Bill Proponent</th>
<th>Executive</th>
<th>Legislators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Bills Voted</td>
<td>37</td>
<td>18</td>
</tr>
<tr>
<td>a. with executive amendments to committee</td>
<td>45.9 (%)</td>
<td>16.7 (%)</td>
</tr>
<tr>
<td>b. without</td>
<td>54.1 (%)</td>
<td>83.3 (%)</td>
</tr>
<tr>
<td>c. with executive amendments in plenary floor</td>
<td>21.6 (%)</td>
<td>0.2 (%)</td>
</tr>
<tr>
<td>d. without</td>
<td>78.4 (%)</td>
<td>99.8 (%)</td>
</tr>
<tr>
<td>e. immediate urgency (1 day)</td>
<td>35.1 (%)</td>
<td>16.7 (%)</td>
</tr>
<tr>
<td>f. utmost urgency (3 days)</td>
<td>16.2 (%)</td>
<td>5.6 (%)</td>
</tr>
<tr>
<td>g. none</td>
<td>48.6 (%)</td>
<td>77.8 (%)</td>
</tr>
<tr>
<td>h. with any executive motion (a, c, e or f)</td>
<td>75.7 (%)</td>
<td>33.3 (%)</td>
</tr>
<tr>
<td>i. without any executive amendments or urgency</td>
<td>24.3 (%)</td>
<td>66.7 (%)</td>
</tr>
</tbody>
</table>

**Source:** Cámara de Diputados, Chile.

### Table 5

**Chile, Amending Activity**

*(342nd and 343rd Legislative Sessions)*

Logit Regression - *Probability of moving a Successful Amendment*

- Number of Observations: 99
- Prob > chi2 = 0.000
- Log likelihood = -48.783588

Concertación Amendment is the left out category

<table>
<thead>
<tr>
<th></th>
<th>coefficient</th>
<th>Significance Level</th>
<th>Odds Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Presidential Amendment</td>
<td>2.857 (.823)</td>
<td>0.001</td>
<td>17.42</td>
</tr>
<tr>
<td>Money Committee</td>
<td>0.989 (.766)</td>
<td>0.197</td>
<td>2.69</td>
</tr>
<tr>
<td>Opposition Deputies</td>
<td>-1.258 (.800)</td>
<td>0.116</td>
<td>0.28</td>
</tr>
<tr>
<td>Mix (moved by Concertacion + Opposition)</td>
<td>0.927 (.755)</td>
<td>0.220</td>
<td>2.53</td>
</tr>
<tr>
<td>Bill originated by Executive</td>
<td>-0.924 (.881)</td>
<td>0.295</td>
<td>0.40</td>
</tr>
<tr>
<td>const</td>
<td>-0.066 (.829)</td>
<td>0.937</td>
<td>~</td>
</tr>
</tbody>
</table>