

A Response to Desposato

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We are grateful to Scott Desposato for his thoughtful review of *The Handbook of National Legislatures* and the comments he offers on the Parliamentary Powers Index (PPI), the tool that we developed to measure the strength of the national legislature for every country in the world. We agree with many of Desposato's points, but would also like to respond to some of the criticisms.

In his review, Desposato flags the mixing of formal and informal powers in the Legislative Powers Survey (LPS, on which the PPI is based). We also grappled with the distinction between de jure and de facto powers. Where the letter of the constitution and actual practice diverge, we coded the legislature's de facto powers.

Desposato notes that "mixing of formal and informal institutions closes a potentially interesting and important line of research on the interaction between formal and informal institutions." We acknowledge that a study of de facto powers alone would have this shortcoming. Yet, by noting in the text where formal and informal powers diverge, we provide ample information for scholars who wish to investigate this matter. For example, in our answer to the question about whether the "legislature can conduct independent investigations of the chief executive" in Russia, we write, "No. Formally, the legislature can establish commissions to investigate the government. In practice, however, investigations are rare and subject to executive influence" (561). We take Desposato's point that a divergence index, which registers the gap between actual and legal legislative powers, would be of great interest in its own right. We did not construct such an index, but our decision to present full information on every survey item for every country makes it possible for scholars interested in studying the discrepancy between de facto and de jure to pursue this line of investigation.

Continuing with his critique of mingling formal and informal powers in the survey, Desposato argues that the relationship between the legislature's strength and democracy may be partly endogenous because factors that make a country less democratic might also reduce

1 a country's PPI. This objection is on target. If one is interested in
2 explaining regime type, which may indeed be correlated with whether
3 a legislature fully exercises its constitutional powers, endogeneity poses
4 a potential problem. One of us has noted as much in a recent article that
5 makes use of the data (Fish 2011). Yet, as mentioned above, we provide
6 all the information necessary for scholars interested in understanding
7 the effects of formal powers alone. We recommend, therefore, that
8 scholars consider splitting formal and informal components of the
9 index if appropriate for their research question. The book provides all
10 the information needed to do so.

11 The problem of endogeneity is not, in any event, as severe for a host
12 of other research questions as it may be for analysis that treats level of
13 democracy as the dependent variable. The strength of the national legis-
14 lature might affect many other phenomena of interest to social scientists,
15 such as economic growth, trade openness, and proneness to civil or
16 international war. In cross-national analyses that treat these matters as
17 outcome variables and the PPI as an explanatory variable, problems of
18 endogeneity will be much less acute.

19 Another critique with which we concur is that the PPI could be
20 improved if it were to report a standard error for each component vari-
21 able. As Desposato suspects, we do indeed have greater confidence in our
22 estimates for some items than for others. Our data-collection effort relied
23 heavily on expert surveys, and the degree of expert consensus varied
24 across countries and items. For example, our experts on the United
25 Kingdom were unanimous in their assessment that the British parliament
26 can "vote no confidence in the government." No surprise there. But, for
27 items that required judgment calls, particularly in countries with newer
28 political institutions, there was sometimes less agreement. For example,
29 our Ghana experts disagreed about whether the "legislature has effective
30 powers of oversight" over military, police, and intelligence services. As
31 we explain in the book's introductory chapter, we implemented a stan-
32 dard procedure for resolving these disputes. Still, we see that providing
33 some indication of expert agreement/disagreement and our correspond-
34 ing confidence in our answer to each item could be helpful to some
35 researchers. Unfortunately, we did not retain all the materials necessary
36 to calculate estimates of certainty. This is a recommendation we will
37 consider when conducting future versions of the study.

38 Desposato's critique is less persuasive in other areas. Consider our
39 omission of such important variables as policymaking, responsiveness,
40 policy variability, party cohesion, ideal-point dispersion, and effective
41 number of parties. Desposato is particularly critical of our omission of
42 data on party systems. He concedes that collecting such data would

1 be taxing. Yet, our reason for not measuring these items had less to do
2 with the difficulty of gathering data on them than with their limitation as
3 indicators of the institutional powers of national legislatures. Party
4 systems may (or may not) interact with the power of the national legis-
5 lature to influence some third variable; or they may (or may not) be
6 affected by the power of the national legislature. But our study was
7 designed to measure the institutional strength of the legislature per se, not
8 to collect data on any variable that might be of interest to students of
9 legislatures.

10 There is no reason that scholars interested in electoral rules and
11 party systems cannot use our data in conjunction with existing data on
12 electoral rules and party systems. Indeed, we would encourage them to
13 do so. Moreover, we think it is possible that recent research has focused
14 more on electoral rules and party systems than on legislative strength
15 because scholars did not have the tools to measure and compare the
16 powers of national legislatures. *The Handbook of National Legislatures*
17 furnishes at least a few of the needed tools to expand that scholarly
18 frontier.

19 Pressing his point on the need to account for party systems,
20 Desposato cites the Mexican case where, throughout most of the
21 twentieth century, scholars inferred the legislature was powerless—an
22 assessment that evaporated with the end of dominance by the Partido
23 Revolucionario Institucional (PRI). Currently, by contrast, no party holds
24 a legislative majority, and Desposato notes that “the President must
25 negotiate extensively to pass legislation . . . this dramatic change is
26 ignored by the LPS and PPI.” Indeed it is, and it is ignored intention-
27 ally and by design. Desposato’s characterization of the Mexican case is
28 accurate, but from the perspective of our study, the key fact—one that is
29 captured by the PPI but that would be obscured by an index that attempted
30 to account for sundry shifts in partisan politics—is that Mexico has a
31 legislature that is endowed with relatively modest powers, scoring .44
32 on the PPI.

33 In Mexico, the president either dominates the political system
34 (when he has a majority in the legislature) or merely controls the
35 political system (when he lacks a majority in the legislature and
36 therefore must condescend and engage in some bargaining). In either
37 situation, the president is the central figure in policymaking—a reality
38 that, as Mexicans and specialists on Mexico know, shapes all aspects of
39 Mexican politics. Regardless of the partisan identity of Congress and
40 the president, the president appoints the ministers, and his appointments
41 do not require the legislature’s approval (item #7). He holds robust veto
42 powers (item #12) and can effectively revise the budget by altering

1 the expenditure of funds appropriated by Congress (item #15). That
2 the legislature in Mexico has more situational influence vis-à-vis the
3 president when most of its members hail from a party other than the
4 president's may be true, but the powers of ministerial appointment, veto,
5 and impoundment remain in the president's hands in any either situation.

6 Compare Mexico with Bulgaria, which has a strong legislature,
7 scoring .78 on the PPI. The legislature, not the president, appoints the
8 ministers (item #7); the legislature can override a presidential veto with
9 a simple majority (item 12); and the expenditure of funds appropriated
10 by the legislature is mandatory (item #15). The president has little to do
11 with legislation; parliament predominates. Counterfactually, if Mexico
12 had a parliament as capable as Bulgaria's, then the president's partisan
13 affiliation and his level of partisan support in parliament would be of
14 much less consequence for public policy than it actually is. Desposato
15 also takes us to task for focusing exclusively on legislatures and for-
16 going an effort to create the definitive database on checks and balances.
17 He states that "one of the fundamental weaknesses of the data collec-
18 tion effort" was that "it was not directed at testing a particular theory
19 of checks and balances." We find this criticism peculiar. We did not aim
20 to create a dataset on checks and balances. Nor do we see how subordin-
21 ating the creation of the survey and the data-collection effort to the
22 goal of "testing a particular theory of checks and balances" would have
23 yielded superior data on the powers of national legislatures. Creating a
24 complete dataset on checks and balances would have required substan-
25 tially broadening the scope of an already massive project. We agree that
26 a comprehensive dataset on checks and balances would be useful. We
27 hope our study will be a step in that direction. We invite other scholars
28 to conduct similar projects on executives and judiciaries to provide a
29 fuller picture of the relative balance of power between branches of gov-
30 ernment around the world.

31 Finally, Desposato points to the limitations of creating the PPI by
32 taking a simple average of the 32 components. As he rightly points
33 out, this aggregation process assumes that each component is equally
34 consequential, but it is possible that some items in the survey might be
35 more important than others. This criticism is as fair as it is obvious,
36 and we spent many hours mulling over the possibility of weighting
37 items. But the more we delved into the countries and corresponded with
38 experts, the more we realized that the weight of items is not straight-
39 forward and depends on the national and situational context. And how
40 would Desposato recommend that we weight these items? Should a
41 legislature's ability to amend the constitution count 1.5 times as much
42 as legislators having personal secretaries? Three times more? Nine

1 times more? And how would we weight each item in the survey relative
2 to every other item—and in a manner that would do justice to cross-
3 national differences in context? As we write in the book, “Assigning
4 equal weight to each item obviously has its costs. Yet weighting the
5 items would involve difficult and arbitrary distinctions. We are aware
6 that each item cannot be equally important. But the importance of an
7 item may vary from country to country and time to time” (13). Further-
8 more, as we advocate in our book, scholars may do well to drop this or
9 that item, weight this or that item relative to others, and/or use a subset
10 of our data, as they see fit. In light of their particular research questions
11 and prior assumptions, scholars may prefer to create their own indices
12 with our data. Our publication of all coding rules and decisions for each
13 and every item for every country in the survey enables scholars to tailor
14 our data for their specific research purposes.

15 In conclusion, we would like once again to thank Scott Desposato
16 for his thoughtful review. We hope that his probing comments and our
17 responses will aid both producers and consumers of future research
18 based on the data presented in *The Handbook of National Legislatures*.

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