

Dynamics in Legislative–Executive Relations: Global Outline for 2019–2024

INTRODUCTION: DYNAMICS IN LEGISLATIVE–EXECUTIVE RELATIONS: GLOBAL OUTLINE FOR 2019–2024

Irina Khmelko, *University of Tennessee at Chattanooga, USA*
John Ishiyama, *University of North Texas, USA*

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What explains variations in the balance of power between legislative and executive branches? Has executive power increased relative to legislative power? Have legislatures become more assertive when facing the challenge of executive power? What factors can explain these observed dynamics? These are critically important theoretical questions, especially because much of the existing literature suggests that this balance of power between legislative and executive branches will determine the future of democracy in the world. Moreover, the research points to democratic backsliding in the world (Brewer-Carías 2010; Haggard and Kaufman 2021; Pappas 2019; *Political Science & Politics* 2024; Scheppele 2018; Weyland 2018).

This Spotlight presents a collection of case studies that discuss the most recent developments in legislative–executive relations in countries worldwide. Published research discusses populist executive branches coming to power and fundamentally reshaping legislative–executive relations in some countries (Khmelko 2019; Khmelko, Stapenhurst, and Mezey 2020). However, this has not been a monotonic process (Ishiyama 2022). In some countries, legislatures retained their power and influence. This Spotlight highlights research that documents the most recent trends in legislative–executive relations worldwide and identifies the main factors that help us to understand and explain the observed dynamics. This article discusses research on legislative–executive relations and the research design and methodology for this Spotlight, and it presents an overall introduction to the individual contributions.

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Research on Legislative–Executive Relations

Recent research describes multiple factors that influence the balance of power between the legislative and executive branches (Dearborn

2021; Moser 1997). One of the dominant theoretical perspectives in the field argues that institutions matter. Scholars of the institutional perspective generally agree that the structural features of legislative institutions affect institutional performance and the overall distribution of power between the legislative and executive branches (Lijphart 1991). Institutions define the framework within which politics takes place and are central factors in shaping political behavior (March and Olson 1995). Scholarly publications within this theoretical perspective discuss multiple factors, including constitutional and administrative reforms and changes to electoral rules.

In addition to institutional factors, scholars examine the effects of political polarization and argue that it is an increasing trend in multiple countries (Abramowitz 2022; Abramowitz and Webster 2016; Haglund 2022; Hunt and Rouse 2023; Jacobson 2016a, 2016b; Pearson 2018; Pool and Rosenthal 2007; Rehmert and Fujimura 2023). The emergence of ultra-right groups in some countries and the increasing range of political ideologies present additional challenges to a system of legislative–executive relations. Democracies rely on the ability of different groups to reach a political consensus. The larger the range of ideologies, the more time it takes to reach a consensus. When coupled with world crises (e.g., a pandemic or a war), the functioning of legislative–executive relations becomes even more challenging.

The literature also addresses populism as another factor that further complicates the system's legislative–executive relations (Graber, Levinson, and Tushnet 2018; Levitsky and Ziblatt 2018; Mounk 2018; Sunstein 2018; Weyland 2022). Populism may challenge political and administrative professionalism. Reaching a political consensus may become increasingly difficult and time-consuming in the presence of these competing alternatives. Moreover, this gives the executive branch an opportunity to claim more power to accelerate the decision-making process. However, this comes at the expense of the power of the legislative branch and sacrificing the deliberations among multiple groups. Furthermore, recent research also discusses the role of political culture (*EU Observer* 2020; Holmberg, Rothstein, and Nasiritousi 2009; Iyengar et al. 2019; Iyengar and Westwood 2015;

Knack 2022; Li and He 2022; Meckling and Nahm 2018; Robinson and Jackson 2001). Political culture provides a foundation for a functioning democracy. When political culture changes, legislative–executive relations respond to these shifts.

Studies also highlight party and election systems development as important explanatory factors in any research that discusses the functioning of a governmental system in general and legislative–

executive relations in particular (Colton 1994; Moser 1997; Olson and Mezey 1991). Finally, there also is a body of research that examines economic factors that influence the quality of democracy in general and the dynamics in legislative–executive relations in particular (Houle and Kenny 2018; Kyle and Mounk 2018; Ruth-Lovell, Lührmann, and Grahn 2019; Urbinati 2019; Weyland 2018). Governments in countries experiencing economic turmoil face calls from their citizens to relieve the pain that it causes. Both legislative and executive branches of power address economic issues in any country. Economic turmoil usually provides grounds for the executive branch to claim more power at the expense of the legislative branch.

Research Design and Methodology

The Spotlight section in PS is an appropriate venue for providing research on issues that require timely attention due to the rapid pace of changes in legislative–executive relations worldwide. The significance of these changes may affect not only the future of democracy but also security in the world.

The articles in this Spotlight share the most recent and important developments in different countries. Highlighting these factors that influence the dynamics of legislative–executive relations globally will facilitate academic research. In addition, discussing important practical implications of this research may be useful for policy makers.

Each article addresses the central research questions posed above. We selected 11 country cases to be broadly representative of trends in legislative–executive relations in the world, but the sample was small enough to “fit” the limits of a Spotlight. The selected cases were based not only on geographical but also institutional variations (e.g., basic constitutional orders and different election systems). For example, the selected countries represent both presidential and parliamentary governmental systems as well as systems with different electoral rules, including proportional and majoritarian rules. By using these criteria, we maximized variation and generalizability of the findings. We believe this to be most effective in sparking ideas that can develop this Spotlight into an edited volume and stimulate further research in the area of comparative legislative–executive relations.

In sum, existing research highlights several factors that explain the dynamics of legislative–executive relations, including institutional, economic, and cultural or ideological factors in a country. Institutional changes may include constitutional and election-law reforms, among others. Economic factors may include indicators of a country’s economic development. Cultural factors may lead to discussions of major changes in political cultures and ideologies and their influence on legislative–executive relations.

This Spotlight is a collection of articles that discuss the most recent and significant trends in legislative–executive relations globally. The contributors are country experts, and their expertise identifies the most recent and significant developments in legislative–executive relations in a specific country. The Spotlight concludes with a discussion of the findings and ideas for future research, which would provide the opportunity to empirically test these ideas. Future theory development on legislative–executive relations could be the result.

CONFLICTS OF INTEREST

The authors declare that there are no ethical issues or conflicts of interest in this research. ■

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DYNAMICS IN LEGISLATIVE–EXECUTIVE RELATIONS IN ARGENTINA, 2019 AND 2023

Sergio Hernán Blogna Tistuzza, *Buenos Aires University, Argentina*

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Scholars have proposed institutional, economic, cultural, and global explanations for the observed dynamics in legislative–executive relations (Ishiyama 2022). This article analyzes how economic factors affected legislative–executive relations in Argentina between 2019 and 2023.

At the end of 2019, when a change of government administration took place, the country went into recession, with high inflation rates (53.5%) and high debt levels. The presidency of neoliberal leader Mauricio Macri (2015–2019) implemented a process of financial valorization (Wainer 2021). GDP had fallen from 643.86 billion USD in 2017 to 446.76 billion USD in 2019. The national government’s gross debt increased from 57% of GDP in 2017 to 89.8% in 2019. Its main creditor was the International Monetary Fund (IMF), with which it had signed a 57.1 billion USD standby agreement. Because the IMF negotiated only with the executive branch (Ishiyama 2022), the Congress never discussed or approved of this loan, thereby shrinking legislative power.

When Alberto Fernández assumed the presidency (December 10, 2019–December 9, 2023), he rejected the final installment of the IMF loan to address the impact of economic conditions (Banco Central de la República Argentina 2020). At the same time, he introduced two draft bills to Congress that, when passed, intensified the legislative decline. This weakened the power and influence of parliaments, along with a corresponding increase in the concentration of power in the executive branch (Mezey 2020).

The first bill declared a “state of emergency,” arguing that the economic crisis and the health system required special power for the executive branch because it could act more quickly than Congress (Ishiyama 2022). This explanation is similar to what Roberts (2017) provided when he noted how crises are used to expand executive discretion. In December 2019, Congress

approved this initiative (i.e., Law No. 27,541), which established a moratorium for small- and medium-sized enterprises (SMEs) and imposed a tax on the purchase of foreign products. Congress also transferred to the executive branch the power to renegotiate foreign debt, restructure electricity and gas service rates, promote productive reactivation, improve pensions, and deliver essential medicine for outpatient treatment to patients with high social vulnerability.

The second bill (i.e., Law No. 27,544) was passed to resolve the unsustainability of the debt. It limited foreign debt issuance and delegated the executive branch to conduct debt-management operations, as well as to negotiate for the trading and restructuring of interest maturity services and principal amortizations of foreign debt issued under foreign legislation. The passage of this law was justified by the need for a strong government to negotiate with creditors (e.g., the IMF). Like other multilateral organizations, the IMF negotiates with only the executive branch. In this case, globalization expanded executive power (Roberts 2017) and weakened legislative power (Milner 2021).

In March 2020, the COVID-19 pandemic erupted. Immediately, the national government used the Necessity and Urgency Decree (also known as the DNU)²³ to restrict the movement of people and transportation. As a result, not only did economic activity slow down; legislative activity did as well. There were legal discussions about whether Congress could conduct its meetings remotely. For this reason, Vice President Cristina Fernández de Kirchner promoted before the Supreme Court of Justice a declaratory action of certainty so that the highest court would clear the state of uncertainty regarding the constitutional validity of Congressional meetings using virtual and remote means.

On April 24, 2020, the Supreme Court of Justice ruled that the legislative branch has all of the constitutional power to interpret its own rules of procedure and the best way to conduct meetings (Honorable Senado de la Nación S/acción declarativa de certeza 2020). Finally, on May 13, both houses of Congress returned to functioning through the remote modality, doing so until July 2021. The data demonstrate the significant impact that the COVID-19 restrictions had on the economy and social indices.

As shown in table 1, 2020 GDP fell from 446 billion USD to 386 billion USD and that debt, unemployment, inflation, and poverty rates increased. This happened despite the fact that during the 2019–2021 period, Congress functioned regularly and passed laws to alleviate the impact of COVID-19. When Congress functioned remotely (i.e., May 2020 through July 2021), more than 70

Table 1
Argentina Economic Activity Data, 2019–2023 (in Billions USD)

	2019	2020	2021	2022	2023
GDP ²	446.76	385.22	487.38	630.66	654.89
Debt ³	89.8	103.8	80.8	84.7	154.5
Unemployment Rate	9.8	11.6	8.8	6.8	6.6
Inflation*	53.5	42.0	48.4	72.2	133.5
Poverty	35.5	42.0	37.3	39.2	41.4

Source: International Monetary Fund.
Note: *Inflation rate, average consumer prices (annual percentage change).