INSTITUTIONAL DESIGN, NORMATIVE POLITICAL THEORY AND ACCOUNTABILITY

Marcus André Melo

INTRODUCTION

This paper is concerned with the link between institutional design and accountability, with a focus on the normative assumptions of current views about this link. The main question it addresses has to do with the effects of institutional design – or perhaps more appropriately, constitutional design – on several dimensions that are crucial for the ability of citizens to hold governments accountable. Accountability refers to both citizens preferences and to the rule of law. In modern democracies elections are the means through which citizens express their preferences. This has been discussed in terms of democratic accountability or 'vertical accountability'. Accountability is defined here as the capacity of citizens to sanction rulers that deviate from their electoral promises or more generally from the preferences of citizens. In this sense accountability is more than responsiveness: it implies the capacity to reward or punish and not only the capacity to listen to (Manin, Przeworski and Stokes 1999).

This is not all that there is to accountability. Accountability has also to do with citizen's control (or lack of it) over governments and over the behavior of public officials while in office. This involves the issue of the rule of law. Current discussions of institutional design and accountability have a number of frequently unspoken normative assumptions. One of the most important of these assumptions is a normative commitment to a majoritarian vision of democracy. This view is arguably the predominant view in most current discussions in comparative politics. In this paper, I discuss what Powell (2000) has called majoritarian design systems and explore its basic features and normative ideals. I then explore further its implications for a discussion

of accountability and of the efficiency of political systems. Although the focus is on political accountability and how it is shaped in crucial ways by institutional design, other broader determinants of accountability and of the quality of democratic governance are also considered.

INSTITUTIONAL DESIGN AND NORMATIVE POLITICAL THEORY

Comparative empirical work on the functioning of democratic systems has led to a number of findings on the effects of institutional design on democratic governance. Although presented as value free empirical findings, part of this literature is usually very normative in its assumptions. But not only are these not made explicit or even recognized, its conclusions also remain to a large extent un-theorized. This might reflect the increasing division of labor between democratic theorists and empirically oriented researchers, but it is particularly true of the scholarship on the so-called new democracies. Democracies are evaluated in terms of their political efficiency in producing tangible results for the population but also in terms of their capacity to aggregate interests and produce authoritative binding decisions. The conclusions are typically that they do not in virtue of the persistence of clientelism and the like, but flaws in their overall constitutional arrangement has been persistently been detected.

The recent new wave of research in comparative politics has been influenced by the neoinstitutionalist approach. Tsebelis's analysis of veto players became the starting point for much of this strand of the literature. Tsebelis's contribution is primarily concerned with positive analysis and is concerned with explaining patterns of legislative output and the institutional determinants of policy stability and change. Undeniably, formal analyses of veto players contributed significantly to the understanding of the ways through which institutional variables affect the ability of governments to approve legislation and generated important predictions. The contributions in Haggard and McCubbins (2001) has explored the issue further and applied the related notion of veto gates to a number of policy areas, opening the ground for a many sectoral studies. While this line of analysis is primarily positive, many scholars who pursued it, and applied it in case studies, are not.

It is not frequently for scholars to make explicit their normative commitments. Stepan is one of the exceptions. In his comparative work on federalism[1] he is very critical of the functioning of several federal systems because they are "demos-constraining" (Stepan 2001). The author uses an index of representational inequality to measure this and is highly critical of the allocation of policy-making powers to subnational governments is also critically evaluated. While this kind of theorizing is at odds with current debates in democratic theory, it signals pretty much the tone of the existing scholarship.

The recent scholarship on Latin American political systems has emphasized a number of features that undermine the process of government formation. As a consequence of these features many countries in the region have difficulties in forming stable legislative majorities and are incapable of implementing mandates (Geddes 2003). Brazil is depicted in this literature as an extreme case of a fragmented polity. According to Ames (2002), for example, Brazil is a deadlocked democracy. A fragmented party system produces shifting and weak governing coalitions, which come into being after elections. These are unable to ensure a stable and predictable basis support for the Executive. Balkanization therefore ensues because individual legislators demand pork in exchange for support. Moreover, it is argued that as a result governments lack clear mandates, and consequently are non-accountable. Flaws in institutional design causes in low accountability. This is viewed as ultimately produced by a combination of institutional features, including open list proportional representation, federalism, presidentialism, judicial review, etc. As discussed in the remaining of the text, these features are crucial for a proportional vision of democracy and are not easily accommodated within the majoritarian design that many analysts seem to favor or more probably assume without recognizing.

Evaluations of alleged political inefficiencies or institutional flaws are sometimes based in concepts and instruments that are rooted in normative assumptions that frequently are not consistent with the general constitutional design of the countries. These evaluations inform demands for political reform, which are entirely inconsistent. The normative conclusions from these proposals as well as from the strand of the literature mentioned above are rooted in a majoritarian vision of democratic governance. Because it is assumed that the latter is the only possible alternative, these analyses and proposals are misleading in many ways.

MAJORITARIAN AND PROPORTIONAL MODELS: NORMATIVE ASSUMPTIONS

The contrast between majoritarian and proportional visions is an old topic in political science. Many of the early discussions on proportional representation illustrate the point. In current discussions of multiculturalism there is a renewed debate on the relative advantages and disadvantages of majoritarianism as a normative principle. The multicultural critique of majoritarianism builds on the century long criticism that it fails to account for the diversity of values in society, and articulates new issues such as identity, recognition and group rights. Because the focus of the discussion in this paper is on the links between institutional design and accountability many important aspects of the majoritarian versus proportional debate fall out of the scope of the discussion.

Lijphart pioneering contribution explored in detail the institutional features of the Westminster or majoritarian model and what he calls consocational or consensus democracies. (Lijphart 1984)[2]. Majoritarianism as *rule by a majority* embodies the

fundamental democratic principle, one that help us distinguishing democracies from authoritarian regimes. Needless to say that this is also shared by the proportional, or consensus vision. The distinction is that in the latter, it is the preferences of the largest number of people that should prevail. Governments should be responsive to not a majority but to "as many people as possible"(Lijphart 1984, 4). The requisite for a majority is viewed as a minimum prerequisite. The consensus vision is that institutional rules should enhance participation and enlarge the size of the majorities. By contrast, the majoritarian vision aims at ensuring that the preferences of the minimum majority are expressed in the democratic process. Here majoritarianism describes a vision and not merely the predominant electoral rule or the basic democratic principle that a majority should rule. Even in the restricted electoral sense, as Shugart (2001, 30) points out, the term majoritarianism is ambiguous: "The implicit assumption behind the term is that the system represents a majority of voters, although all the model of majoritarian governance requires is that a majority of parliamentary seats is sufficient to rule. Indeed single party parliamentary majorities are typically based on mere pluralities of the electorate, often in the range of 38%-45%."

Powell (2000) uses a similar terminology in his analysis of majoritarian and proportional designs but he is particularly concerned with the normative distinctions between the two and how it is reflected in electoral accountability – a point that is the focus of this paper. In the majoritarian (or power concentration) vision of democracy, the objects of citizen's electoral behavior are the office-holders which exercise concentrated policy-making powers. In this vision, power concentration is a pre-requisite for the adequate exercise of control by citizens through elections. This is so because power concentration allows clarity of responsibility. Conversely, power dispersion implies that policy making is the result of post –electoral bargaining within the winning coalition and with other relevant institutional actors and this would make it difficult to pinpoint retrospective responsibility to decisions. This view is associated with the idea of democratic *control* (as opposed to *influence*) by citizens and to a mandate notion of representation. Citizens exercise control by approving the policy proposals that are presented by would be officeholders in the electoral process. During elections officeholders are given a mandate to implement these preferences. The mechanisms informing citizens' choice are twofold and it is difficult to establish which one is at work. In one argument, citizens vote on the basis of the incumbent's past performances. Citizens punish or reward incumbents looking backwards and using a 'retrospective vote'. In a different argument, people exercise control in virtue of their ability to select prospective officeholders. In both accounts, concentrated power is necessary for citizens to control public officials and their use of the mandates vested on them.

The proportional vision offers a very distinct perspective on the democratic process. Power dispersion is viewed as a pre-condition for the effective representation

of the diverse societal interests. The basic objective is to enhance the influence of citizens on governments. Because power is dispersed, representation takes on the form of authorized representation to advance citizen's interests in decision-making. Unlike the majoritarian vision, citizens do not reward or punish officeholders, rather they elect them expecting that they act in the citizen's best interest. Representatives are viewed as agents or delegates of citizens. They are agents who the citizens believe will act as she or he would have acted if bargaining for him or herself (Pitkin 1967; Manin, Przeworski and Stokes 1999). The dispersed power vision assumes that citizens have heterogeneous preferences and that the democratic ideal is best encapsulated when this is reflected in the policy-making process.

A number of further distinctions can be drawn between majoritarian and proportion views. First, the disperse power vision confers important roles for the minorities. By assigning a role for the opposition in the process of governing, it is expected that the interests of all citizens and not only the interests of a single majority prevail. Second, in the power dispersion view some amount of discretion is implicit vested in the officeholders. By contrast, majoritarians aim to maximize citizen's control over elected representatives and to ensure that they are accountable to citizens. Two distinct views of representation underlie both visions. The power concentration vision assumes an "accountability view" of representation, as Pitkin calls it (1967, 55), in which no independent or autonomous judgment is expected of representatives.[3] In the proportional vision, office holders are delegates, which are expected to influence policy-making. The notion of accountability informing the earlier majoritarian visions tended to assume that the collective interests of the citizens existed and were identifiable. In addition the questions relative to the aggregation of individual preferences in a social welfare function (the existence of multiple single issue majorities, etc.) were left undiscussed. What seems to be implicit in many current discussions of institutional design and accountability in the comparative politics literature is that citizens confronted with policy proposals express their preferences and sanction or reward incumbents, and no explicit normative assumption is made about collective interests. Democracy is viewed in this connection as a competitive schumpeterian mechanism through which political elites get the approval (or not) of citizens for policy proposals that they formulate. The accountability view in this Rikerian sense does not require a notion of collective interest.

As Powell (2000) argues, for elections to serve as instruments of democracy, it is necessary that the incentives of backward and forward mechanisms (retrospective vote and selecting types) used by citizens are internalized by officeholders and become effective. In other words, it is expected that office-holders anticipating the possibility of rejection, adjust their behavior to citizen's preferences. Social choice theorists have highlighted the problems arising from identifying the package of policies that would reflect citizens's preferences. Whatever the congruence between

citizens's preferences and this package, the process originates in political elites mobilizing the electorates around policy proposals. Essential to this process is the mediating role of political parties which help citizen's selecting types – i.e. by grouping them into a political label.

When selecting would be policy-makers people confer an electoral mandate on the basis of the expected outcomes. On the other hand when selecting incumbents citizens get policy makers to account for decisions. But as Powell (2000, 11-12) argues in other to reject incumbents all that citizens need to know is who was responsible for actual outcomes. This has to do with the clarity of responsibility. Two preconditions are necessary for the majoritarian vision to be implemented effectively. First, citizens need to be able to identify future governments at the time of elections. If they do not expect that their vote influence the formation of governments, they have no incentive to vote strategically to shape future policy -making. Second, it is necessary that the winning electoral party or coalition form the government and implement the policy alternatives presented at the time of elections. If the institutional rules of a country make it necessary for the winning party to engage in post-electoral bargaining, or to interact with other institutional actors wielding veto powers, the impact of the voter's behavior is severely weakened.

While accountability and mandates are crucial for the majoritarian model, the assurance that the diverse citizens's interests are represented in policy-making is key to the proportional vision. Here accountability and mandates play no role; in fact they do not make sense because what is at stake is the representational congruence between societal groups or parties and policy-making powers. Proportional representation makes possible for the government to reflect in policy-making the existence of multiple majorities, varying according to issue area.

CONSTITUTIONAL CHOICES AND MODELS OF DEMOCRACY

The visions of democracy discussed in the preceding sections informed the constitutional design of current democracies in ways which are not frequently recognized or even understood. Many analysts use the parameters that are appropriate for evaluating one of the models or visions to evaluate both. This is at the basis of the misleading criticisms of current democracies.

Two types of constitutional rules are crucial for understanding the vision of democracy underlying a country's political system. These are the representation rules and the rules governing the policy-making process. Electoral rules are key to determining the extent to which legislative majorities can be formed – an integral part of the majoritarian vision. Conversely, they can produce a dispersal of power and allow the representation of multiple parties, as required by the proportional vision. The constitutional rules can also produce dispersal or concentration of policy-making

powers. For Lijphart (1984; 1999) countries with majoritarian constitutional designs there is concentration of policy-making power and rules encouraging the formation of legislative majorities. Despite their enormous variation, electoral rules can be grouped in two types: single member plurality rule and multi member proportional representational. As discussed in the vast literature on the subject, these rules are strong predictors of the number of effective parties and of the electoral threshold (the share of vote needed to acquire representation). The empirical analyses of existing democracies have showed that as a rule legislative majorities are manufactured by the electoral systems. Single party vote majorities are very rare and single party pluralities is the common fact of political life.

A crucial constitutional choice bearing on electoral rules has to do with the trade off between inclusiveness and governability.[4] Inclusive electoral rules such as multi member proportional representation, low district magnitude and low electoral thresholds permits a wider representation of interests and foster multipartism. In turn, this enhanced participation tends to imply *ceteris paribus* more political transaction costs. Majoritarian design systems are those that opt for less inclusiveness and more governability.

Constitutional design implies a tradeoff between polities that offer choices of *governments* before elections and those that offer choices of *parties* after elections (Shugart 2001, 29). This tradeoff is between identifiability and clarity of responsibility, on the one hand, and representativeness, on the oter. As Shugart argues:

> "with representativeness maximized, voters are presented with a wide range of parties on several salient issues dimensions, but the probability that governments will be formed only after post-election bargaining means that voters are apt to have difficulty identifying the likely governmental options at election time" (Shugart 2001, 29-30)

Majoritarian design systems offers more pre-election identifiability, that is provide voters with clear choices of competing governments prior to elections.[5] As discussed earlier, this is one of the preconditions of the majoritarian model view of accountability. This produces clarity of responsibility and therefore citizens are better positioned to reward and punish officeholders. But this comes at a great cost. Pure majoritarian systems – which Shugart (2001) calls *pluralitarian* polities -face a *democratic deficit* that is produced by the fact that the majorities are only pluralities of the electorates. They are also prone to the problem of the "wrong winner" that occurs when the electoral rules manufacture a parliamentary winner that did not command a majority of the votes.

The rules governing the policy-making process has to do with the degree to which policy-making power is distributed between the Executive, the Legislative and the Judicial branches (horizontal separation of powers), between levels of government

(vertical separation of powers), as well as within the Legislature. Political systems of a majoritaian design typically have rules that encourage a single parliamentary majority to control policy making, have unified governments (parliamentary systems), are unitary and do not have judicial review. Within the legislature little or no power is given to the opposition and the legislative committees are weak. In addition, governments control the legislative agenda and the rules limits committee's amendment. [6]

By contrast, proportional design systems provide decentralized legislatures and or bicameralism, strong committee systems, and a role for the opposition (which controls committee chairs, etc). It is also associated with decentralized governments and federalism. Judicial review plays a key role in the majoritarian vision. Concertation mechanisms of interest intermediation and corporatist structures also characterize proportional designs. These concertation mechanisms may include societal interests as well as institutional actors such as governors or mayors.

In addition to the above, other anti-majoritarian institutions include constitutions, independent regulatory institutions and independent central banks. The mechanisms that ensure constitutional inertia include *inter alia* supermajority requirements for amendments, delays (proposed in one legislature, an amendment is voted in a subsequent legislature), ratification (by referenda or state assembly). The requirement for supermajorities is one of the most explicit features in proportional design systems. [7]

These antimajoritarian institutions like independent regulatory bodies challenge the prevailing view of accountability based on a majoritarian vision. This is so because the notion of a mandate is not applicable here. Independent regulators are closer to the idea of delegates who are expected to act in the interests of citizens. Mandates do not make sense in a context of incomplete and asymmetrical information between citizens (or politicians) and regulators. [8] Procedural and indirect control is the alternative (McCubbins and Schwartz 1984).

These features in fact represent veto players or veto gates. Because the number of players is larger, the level of *deciseveness* (ability to make decisions) and *resoluteness* (ability to stick to a decision when it is made) – of a polity is weakened. This is the trust of the argument of Cox and McCubbins:

> "Polities that combine institutional divisions of decision-making authority with political divisions of purpose will tend to be either indecisive or prone to morselizing public policy, or both. Institutional divisions of power can come in the form of presidentialism, bicameralism, federalism, provisions for judicial review, and so on. Political divisions of purpose can stem both from the inherent diversity of opinion within a nation's society and from the incentives that the electoral system presents to combine those diverse interests into many or few political organizations. Some electoral systems encourage the formation of a few hierarchical parties whose leaders internalize the

costs and benefits of public policy as it affects a wide range of the population. Other electoral systems facilitate either large numbers of parties or decentralized (factionalized or atomized) parties" (Cox and McCubbins 2001, 46).

VETO POINTS OR DELIBERATION?

While veto players analysis has important positive predictions, it fails to draw adequate normative lessons from it. The implicit normative vision in many of these analyses is that the fewer the veto points, the better the functioning of the democratic process. The problem is even more apparent in the discussion of accountability.

I wonder what would be the conclusions of many of these comparative scholars of new democracies to the fact that "in Germany the government succeeds in getting about 85 percent its initiated legislation passed by the bundestag, but it is very often that amended and altered in many ways to reflect a variety of specialized interests" (Powell 2000, 63).

Are the committee's to be interpreted as veto points or as mechanisms that ensure that policies represent the median voter?

Many veto points are viewed in a proportional vision of democracy as part and parcel of the institutional mix of an ideal polity. Take it for example the institutions associated with federalism such as the symmetrical bicameralism discussed by Lijphart (1984). In the absence of these institutions in large or ethnically segmented countries, the quality of democratic life would arguable deteriorate. The same applies to judicial institutions.

For the majoritarian vision, the democratic ideal is realized in the ability to reach decisions, implement them and get them evaluated at elections. This is tantamount to the idea of institutional efficiency as found in economic reasoning. Many of the institutional features of proportional systems are designed to encourage consensus by the largest number of parties. The deliberative element, which is a constitutive part of the proportional vision, is therefore devalued in the majoritarian ideal. This is best exemplified in principal-agent models in which the primary concern is the reduction of the agency losses resulting from the delegation of from citizens to representatives. However, majoritarianism seems to fail in its own terms (Powell 2000), and seems to be a manufactured creature by a number of institutional arrangements, particularly of electoral rules. It may also face problems of legitimacy, as exemplified by the UK.

While the dispersal of power view has to come to terms with the problems associated with governmental paralysis and stalemate that may occur in hyper-representative systems (Shugart 2001), comparative scholars have to face the many problem facing the majoritarian view discussed above. The language of institutional

efficiency that underlies much of their empirical work leads them to draw unwarranted normative conclusions.

NOTES

1   The author compares the US, Brazil, Mexico, India and Germany.

2   Dahl (1956) refers to "populist" and "Madisonian" democracy, and Riker (1982) to "populist" and "liberal" democracies. Powell (2000) talks about majority control versus proportional influence models or visions, and I will stick to this usage throughout the paper.

3   For Pitkin (1967), "the accountability view is a practical or empirical hypothesis disguised as a conceptual view "(p. 58). Putting forward the view that representation is acting substantively in the interest of the represented, she argues that the "accountability view does not tell us anything about what goes on during representation, how a representative ought to act or what he is expected to do, how to tell whether he has represented well or badly". (p. 58)
  Elsewhere she elaborates this criticism further, as follows: "Accountability theorists are even more vulnerable in this respect [how to judge a representative performance]. Their aim is to show that true representation entails responsiveness to the represented, attention to his wishes or needs. And they see accountability as essential for achieving this purpose, hence as the essence of representation. Yet by defining representation in terms of accountability they defeat their own aims. By defining a representative as anyone who will eventually have to account to another for his actions, they make it impossible for the idea of representation to serve as a guide or standard for his actions. His conduct remains irrelevant to representation"(Pitkin 1967, 113).

4   A pioneering statement of this tradeoff is Dahl (1971), chapter 7.

5   For the discussion in this section I draw on Powell (2000).

6   See Powell (2000), Lijphart (1999), Strom (1990) and Doering (1995). Strom created an additive scale of 'opposition influence' in the legislature that has been used widely in the empirical literature.

7   In some countries like Brazil, however, the Constitution has become a source of rigidity not only for institutional matters, rights and procedures but also for public policy issues. The Brazilian Constitution of 1988 represented a foundational moment with important path dependent developments. Because it was a unique historical juncture, it incorporated a vast array of political, social and corporatist demands. As a result, with 250 articles in the main text and additional 75 provisional articles, the constitution is unusually long and covers many very specific non-constitutional issues of policy. The choice of creating such a wide-ranging and detailed Constitution could also be attributed to the lack of trust and credibility on politics at that time. Thus, to write an article within the Constitution meant a 'safe' institutional terrain in which political players could develop their political transactions with a minimal of certainty that their arrangements and agreements would be enforced. Consequently, the Constitution hard-wired many public policy issues by requiring constitutional amendments in order to change policy. It is highly significant that many subsequent reforms has implied de-constitutionalizing issues, i.e. deleting articles from the constitution and subsequently (but not always), legislating about the issue through ordinary laws. The initial high level of constitutionalization of public policy produced great rigidity in public policy in general. The preceding helps explain why the Constitution of 1988 is the most amended constitution in the country's history. Brazil's first constitution, passed in 1824 lasted 65 years and was amended once, whereas Brazil's second constitution which established the republican form of government lasted from 1891 to 1930 and again was amended only once. The constitution of 1946 lasted 21 years and was amended 27 times. The military constitutions of 1967 and 1969 were amended 26 times in a period of 21 years. By contrast, within 12 years the

constitution of 1988 has already been amended 37 times. Between 1988 and 2001 (February), 2424 constitutional amendments had been presented to Congress. Under President Lula da Silva, three new constitutional amendments have been passed. The yearly average amendment rate for the Constitution of 1988 up to the end of 2003 has reached 3.5. For the period 1992 (when the first amendment was approved) to 2003, the average rate of amendment is 4.4 – an extremely high rate by any standard. In addition to the procedural difficulties, it should be noted that constitution-alization and deconstitutionalization (i.e. inserting and deleting provisions from the constitution) are very distinct and asymmetrical political processes. For consitutionalization, collective action problems undermine the ability of public to insert particularistic interests. For de-constitutionalization the opposite holds; withdrawing benefits and rent seeking privileges from the constitution requires overcoming the resistance of organized and sectoral interests. Reforms that de-constitutionalize issues generally lead to legislation on the issue or issuing *medida provisória*. In this game a lack of trust and the opportunity for opportunistic behavior has precluded some welfare enhancing deals to take place. The lack of trust arose because the executive holds great agenda powers and decree authorities. Many members of Congress saw the deletion of articles from the constitution as a mechanism for the executive to unilaterally impose its preferences. In other words de-constitutionalizing is seen by some as equivalent to giving a blank check to the executive.

8 See Levy and Spiller (1996). See also Shapiro (1997) and Majone (1999)

BIBLIOGRAPHY

AMES, Barry (2002). *The deadlock of democracy in Brazil*. The University of Michigan Press.

COX, Gary W. and Mathew D. McCubbins (2001), "The Institutional Determinants of Economic Policy Outcomes", in Haggard, Stephan, and Mathew D. McCubbins (eds.) 2001. *Presidents, Parliaments, and Policy.* New York: Cambridge University Press.

DAHL, Robert (1956) *A Preface to Democratic Theory.* Chicago, The University of Chicago Press.

DAHL, Robert (1971). *Poliarchy: participation and opposition*, Yale University Press.

DOERING, Herbert eds, (1995) *Parliaments and majority rule in Western Europe,* Frankfurt/Bew York, Campus Verlag and Saitn Martins Press.

GEDDES, Barbara (2003) "Comparative politics", in Ira Katznelson and Helen Milner eds., *Political Science: the state of the discipline.* Centennial edition. New York, WWW Norton.

GOODIN, Robert (1997) On constitutional design, unpublished manuscript, Australian National University..

HAGGARD, Stephan, and Mathew D. McCubbins (eds.) 2001. *Presidents, Parliaments, and Policy.* New York: Cambridge University Press.

LEVY, Brian e Spiller, Pablo T. (1996), *Regulations, institutions and commitment.* Cambridge, Cambridge University Press.

LIJPHART, Arendt (1984). *Democracies: patterns of majoritarian and consensus government in twenty-one countries.* New Haven and London: Yale University Press.

LIJPHART, Arendt (1999). *Pattern's of democracy: government forms and performance in thirty-six countries.* New Haven and London: Yale University Press.

MANIN, Bernard, Przeworski, Adam, and Susan C. Stokes (1999). "Introduction" In Przeworski, Stokes and Manin (eds.). *Democracy, Accountability, and Representation.* New York: Cambridge University Press

MAJONE, Giandomenico. (1999), "The regulatory state and its legitimacy problems". *West European Politics,* 22, 1, May: 1-24.

MCCUBBINS, M.D. e Schwartz, T. (1984), "Congressional oversight overlooked: police patrol versus fire alarm". *American Journal of Political Science,* 28: 165-79.

PITKIN, Hannah (1967) *The concept of representation.* Berkeley, Univrsity of California Press.

POWELL, G. Bingham (2000) . *Elections as Instruments of Democracy: majoritarian and proportional visions.* New Haven: Yale.

PRZEWORSKI, Adam, Susan C. Stokes, and Bernard Manin eds. (1999). *Democracy, Accountability, and Representation.* New York: Cambridge University Press.

RIKER, William (1983). *Liberalism against populism. A confrontation between the theory of democracy and the theory of social choice.* São Francisco, W.H. Freeman.

SHUGART, Matthew S (2001). "Extreme electoral systems and the appeal of mixed-member districts", in Matthew S Shugart and Martin P. Wattenberg, eds, *Mixed member electoral systems,* Oxford, Oxford University Press.

SHAPIRO, Martin. (1997), "The problems of independent agencies in the United States and the European Union". *Journal of European Public Policy,* 4 (2), June: 276-91.

STEPAN, Alfred. (2001). Toward a New Comparative Politics of Federalism, (Multi) Nationalism, and Democracy: Beyond Rikerian Federalism. In *Arguing Comparative Politics.* Oxford: Oxford University

STROM, Karen (1990) *Minority government and majority rule.* Cambridge, Cambridge University Press.

STROM, Karen (2000) "Parties at the core of government, in R. J Dalton and Martin P. Wattenberg, eds, *Parties without Partisans: political change in advanced industrial democracies,* Oxford, University Press.

TSEBELIS, George (2002) Veto Players. *How political institutions work,* New York, Russel Sage Foundation and Princeton University Press.

Marcus André Melo

PROFESSOR OF POLITICAL SCIENCE AT
PERNAMBUCO FEDERAL UNIVERSITY