
RESEARCH REPORTS AND NOTES

COUNCIL OF ELDERS?

The Senate and Its Members in the Southern Cone*

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Abstract: This research note contributes to the comparative studies on legislative careers. It sheds light on the scarcely researched members of four Latin American upper houses, the Senates of Argentina, Brazil, Chile, and Uruguay. It examines both the basic social features of the parliamentary elite—age, gender, level of education, and university careers—and the legislators' political careers. The goal is to find out whether the upper houses are composed of a larger proportion of senior members than the respective lower chambers, that is, of members who not only are older, wealthier, and more educated, but that also have greater political experience. As a result of this research, the Senates of Chile and Uruguay stood out for having the largest share of senior members. The Brazilian Senate followed them with a considerable level of seniority. As a consequence of a series of institutional reforms based on the 1994 constitution, the Argentine Senate differed from the other three cases as being a much junior chamber.

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INTRODUCTION

If comparative research on legislative careers is rare (Hibbing 1999, 153), it is even more so regarding the careers of Latin American legislators. The few works available on the topic are based on single cases, and are almost exclusively dedicated to exploring the profiles of the legislators of the lower house.¹ This research note contributes to the comparative legislative studies focusing on the Senates of four Latin American countries: Argentina, Brazil, Chile and Uruguay. Thus, it sheds light on the less-frequently analyzed members of the upper houses.

The absence of scholarly studies on Latin American second chambers, the Senates in general, and on its members in particular, is striking for several reasons. First, bicameralism has a long tradition in the region and exists today in half the countries of the continent: Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Mexico, Paraguay, and Uruguay. Second, the Latin American cases combine presidentialism and strong bicameralism, an institutional mixture found only in the American constitution upon which they are modeled. Third, while legislatures in Latin America do not enjoy much public confidence,² it is the legitimacy of upper chambers that has particularly been under question. The legislatures' public discredit often generates proposals for size and cost reduction, which in the most extreme cases may include the abolition of the Senate (as was undertaken in Peru and Venezuela during the 1990s). Nevertheless, fully developed analysis on the functions of the Senates and their performance are rarely undertaken.

In this article, we compare the social and political profiles of the senators of Argentina, Brazil, Chile and Uruguay. Our analysis is empirically based on the biographies of the members of Congress belonging to the following recent contemporary legislatures: the 2003–2007 legislative period in Brazil; 2002–2006 in Chile; 2000–2005 in Uruguay; and 2001–2003 in Argentina.³ Every individual legislator is considered here as a unit of analysis and the total members of every chamber constitutes

1. See Jones (2001); Jones, Saiegh, Spiller, and Tommasi (2002); Lemos and Ranincheski (2003); Leoni, Pereira, and Rennó (2004); Rehren (2001); Samuels (2002); Santos (2000). A couple of important comparative projects are, however, taking place: the project on parliamentary elites (also based on lower chambers) of the University of Salamanca (Alcántara, PELA) and that on political recruitment at the Wake Forest University (<http://www.wfu.edu/academics/politics/conference/index.htm>).

2. The declining public confidence in the Latin American Congresses, which is being perceived by opinion polls since the middle 1990s, appeared once more in 2003 reaching only a 17 percent (against 23 percent in 2002). See <http://www.latinobarometro.org/>.

3. The biographies have been mostly obtained from the Web sites of the four Congresses. Complementary information on the senators' careers was collected during our field research (particularly for Uruguayan officials). We also consulted Baron (2002) on Argentina and Senado Federal (2003) on Brazil.

our universe.⁴ Only in the case of Uruguay, where we do not have all the biographies, we draw upon a sample of legislators for some of the variables.⁵ Using these resources we examine both the features of the parliamentary elite—age, gender, level of education, and university careers—as well as the senators' political careers with the aim of observing, first, the extent to which the upper houses differ from their respective lower house and, second, to explore the differences between the four Senates. We expect to find differences in terms of the legislators' profile within a bicameral legislature, the upper houses comprising a larger proportion of *senior members* (i.e., older, wealthier and better educated than deputies, and having greater political experience).

Our argument intersects with frequent justifications for bicameralism, such that a division of a legislature into two chambers not only allows the representation of different interests in both chambers, but also contributes to improving the system of checks and balances, the stability of the legislative procedures, and an improved quality of legislation (Hamilton, Madison and Jay 1999; Mastias and Grangé 1987; Riescher, Ruß, and Haas 2000; Riker 1992; Russell 2000; Tsebelis and Money 1997). As Tsebelis and Money (37–42) explain, bicameralism produces greater legislative efficiency and stability through the creation of a quality control system based on the redundant evaluation of legislation in two chambers. However, these goals can also be sought through an integration of upper chambers with "wiser" legislators that serve to check or deter the enactment of rash or imprudent legislation proposed by the first chamber. Constitutions can either enhance the requirements to become senators (in comparison to deputies), or can provide for the partial or total integration of second chambers with appointed legislators selected because of their experience and distinguished careers. In addition, many constitutional designs provide longer terms for senators that allow them to develop greater experience in legislative procedures and allow for greater political independence. Similarly, the non wholesale renewal of upper houses produces stability of personnel, greater expertise, and independence of opinion.

In the following pages we explore whether a more constraining institutional structure of opportunities for the selection of the members of second chambers which, not only includes the constitutional framework but also the electoral systems and the rules for party recruitment, produces markedly different profiles between upper and lower chamber

4. Considering the fact that legislators may resign, take leave, or even die along the legislative period, we decided to work with those who assumed their position at the beginning of the period.

5. The opinion poll (PELA) with which we worked involved 67.7 percent of the deputies of the XLV legislature.

legislators. Additionally, our study analyzes whether the profiles of the four Senates differ. Although these Senates share the above-mentioned features of strong bicameralism and presidentialism, their membership varies in terms of type and degree of seniority in a number of ways: First, developing a seniority system takes time, and only in Brazil and Uruguay has an institutional framework been in place since the middle 1980s. Second, in Chile's case, the first congressional period was only initiated in 1990 (after a long authoritarian interruption), but this is also a case in which seniority was mainly created through the Senate's partial integration with appointed members.⁶ Third, Argentina stands out as having the newest institutions framing the election of senators such that the 1994 constitutional reform incorporated important amendments regarding the Senate's composition. This reform generated a transitional phase that was concluded in 2001 with the total renewal of the Senate's membership and the implementation of the female quota system. As we show below, the result is that the membership of the Argentine Senate resembles that of the lower chamber and in comparison with the other three countries' upper chambers, it has the lowest proportion of senior members.

This research note is divided into three sections. Section two explains how different institutional structures in each country pose more hurdles for candidates seeking a seat in the Senate than those seeking a seat in the lower house. Section three describes and compares the age, gender and education distributions of the upper and lower chambers, and section four examines the senators' political profiles in order to analyze different degrees and patterns of seniority.

THE SUCCESSFUL SENATE CANDIDATES

Latin American Senates are attractive offices for professional politicians, especially since they have equivalent or almost equivalent legislative powers to those of the lower chamber. In this sense, the Latin American cases considered here resemble the North American model and differentiate themselves from other bicameral systems where the upper chamber has no (or limited) veto power over legislation outside the continent. Invariably, too, upper chambers normally have less relevance than lower chambers when their members are not directly elected, but this is not the case with the Latin American Senates.⁷

6. At the time this article was written, a constitutional reform was being discussed in the Chilean Congress, aiming to incorporate important changes in the Senate's composition, such as the abolition of the designated members.

7. In Argentina, the direct election of the Senate's members was lastly incorporated in the constitutional reform of 1994 (previously, senators were elected by the legislatures

Indeed, it could be argued that the political weight of a senatorship is not equally attractive for politicians in all Latin American countries. In the federal systems of Argentina and Brazil, for example, executive positions are more highly coveted than legislative positions, and politicians would rather become governors, and even ministers, than senators.⁸ However, even in these countries governors often seek a seat in the Senate once their mandates end—and many senators become governors after their legislative tenure (De Luca 2004, 17; Power and Mochel 2004, 28). This suggests, therefore, that legislative positions may be a second choice in some political career paths, but also that prominent politicians like governors, when moving to the legislature, will seek a seat in the Senate rather than in the lower chamber. There are several reasons for this different status of the chambers: First, a Senate position offers greater individual influence—or veto power—over legislation since Senates are invariably smaller than the large lower chamber counterparts (it is not the same to be one in eighty as one in five hundred, as is the case in Brazil, for example). Second, the periods of service are usually longer in the Senates than in the deputies' chambers, the wages are higher, and the infrastructure supporting the legislators' work is better.

However, there is also a downside, and politicians often make their career choices according to the chances they have to succeed in the elections (Leoni, Pereira, and Rennó 2004, 111). Specifically, a Senate election is more difficult to win than that of deputy and represents a higher step up the political ladder. Comparative studies of political careers have stressed that the success of potential candidates is very much shaped and structured by the institutional context in which they operate (Best and Cotta 2000; Norris 1997). In general, the political system sets the *structure of opportunities* for political careers through a number of constitutional and legal regulations as well as the electoral rules that will determine the broad pool of candidates and influence the costs and benefits of running for office. In Argentina, Brazil, Chile, and Uruguay, the different institutional

of the provinces and by an electoral college in the federal capital of Buenos Aires). In the terminology developed by Lijphart ([1984] 1999), Latin American bicameralisms are strong for being both incongruent and symmetric. Llanos and Nolte (2003) have shown that, within this notably homogeneous group of strong bicameral legislatures, differences of degree are not negligible.

8. The attractiveness of the governorship is extensively discussed in Power and Mochel (2004) and Samuels (2003). Santos (1999, 225) explains that Brazilian politicians prefer to occupy positions in the executive because they provide greater opportunities to intervene in the decision-making process. Moreover, for Power and Mochel (2004, 33) legislative positions are not attractive at all since "the career choices of prominent Brazilian politicians illustrate a clear career ladder, and all the important rungs on the ladder are executive posts."

sets of opportunities in each country pose greater barriers to candidates seeking a seat in the Senate than for election to the lower house.

First, constitutional requirements are more stringent for the Senate than for the house. Smaller upper chambers, longer terms, and partial renewals of the upper house reduce the number of positions at stake in every electoral contest and, thus, pose more constraints to potential candidates. Indeed, the four Senates considered here are smaller than their respective chambers (the Brazilian Senate having the largest difference with 81 senators against 513 deputies), are partially renewed (with the exception of Uruguay), and their members serve for longer terms (again Uruguay is the exception). Additionally, the four constitutions require that senators must be older than deputies—such that in Chile and Brazil there is a minimum age requirement of forty and thirty-five years respectively. Two of the constitutions (Argentina and Uruguay) require more years of citizenship for Senate candidates, and one (Argentina) also demands a minimal income for candidates who run for the upper house. A singular case is the Chilean Senate: with nine out of its forty-eight members being designated by the president (appointing a former university president and a former minister of state), by the National Security Council (appointing former commanders of the army, national police, navy, and air force), and by the Supreme Court. Ex-presidents also serve in the Senate for life terms.⁹

Second, the electoral rules for the Senate are different and more demanding than those for the chamber in the four cases under study. In the Chilean binominal system, Senate candidates need more political and financial resources to campaign in larger districts since there are sixty electoral districts for the chamber of deputies and only nineteen for the Senate. In the electoral and party system of Uruguay (*ley de lemas* and party fractions), two important features distinguish Senate positions from those of the chamber. Since the Senate is elected in a national arena, Uruguayan senators need to be figures with a national prestige who are able to find votes and to build party agreements at the national level. In addition, because votes for president, senators and representatives are inseparable, hierarchical factions are created with a nomination control for presidential candidates over senators and of both presidential and senatorial candidates over representatives (Morgernsten 2001, 242). In the federal systems

9. The explicit arguments behind the Chilean designated senators were very much related to those developed by the bicameral theory: since they would be tied to no constituency and would not have to face reelection, they would compose a neutral, apolitical and mature component of the legislative branch and help promote the interests of the nation as a whole instead of those of a particular political sector (Barros 2002, 229). In practice, though, the constitution designed by the military regime was seeking to give a veto power to the right in the upper house of Congress. This fact does not lend validity to the argument for a "mature" component of this chamber (Siavelis 2000, 39).

of Argentina and Brazil, the costs of running for the Senate are also higher. Here the electoral district is the province/state for both the chamber and the Senate, but the number of senators is constant in all the districts (three in each district), whilst the number of deputies varies according to the population (rising from a minimum of eight to a maximum of seventy in Brazil, with a minimum of five in Argentina). Therefore, a candidate running for the lower house needs less financial and political resources to obtain a winning number of votes than does a candidate running for the Senate in the same district. The lower chamber candidate can get elected by building a concentrated base of support in a municipality, while the Senate candidate will need to be known in the whole district and must count on greater resources. However, in these two countries the size of the population varies significantly among the provinces/states so that the number of district seats in the lower chamber also varies. In Argentina, for instance, Buenos Aires province elects thirty-five deputies in every election, while La Rioja province elects only two or three, meaning that La Rioja has as many contested deputy seats as Senate seats in every election.¹⁰ Consequently, there are different sets of electoral constraints *within* the countries, with districts in which candidates face approximately the same electoral structure of opportunities for the chamber and the Senate, while in other districts election to the Senate appears particularly challenging and costly. Despite these internal differences, the Senate's electoral rules remain generally more demanding.¹¹

Third, the political parties—acting as intermediary actors or *selectorates* (Best and Cotta 2000, 11)—filter the process of political recruitment. Although there are alternative pathways into the political elite (including the military, media or bureaucracy), in most countries recruitment usually occurs within political parties and is influenced by party organization, rules and culture (Norris 1997, 12). Indeed, the degree of control that political parties exert over the selection process may vary considerably. In Chile, political parties exercise a high degree of control because they need to arrange their coalition agreements, and the same happens in Uruguay, given the prevailing logic of party internal fractions. Brazil is well known as the country with the weakest political parties (Mainwaring 1995), but, even here, loosely organized political parties wish to maximize their electoral chances, and given the major constraints that elections pose for the Senate, it is likely that parties will reserve the

10. La Rioja has a five-deputy representation in the national lower chamber, but due to the partial renewal of this house, it only elects two or three deputies in every election. In comparison with Brazil, where the chamber is totally renewed, the smaller Argentine districts (Catamarca, Chubut, Formosa, La Pampa, La Rioja, Neuquén, Río Negro, San Luis, Santa Cruz, Tierra del Fuego) elect fewer deputies than their Brazilian counterparts.

11. As we have seen above, for instance, La Rioja province may elect as many deputies as senators but elections for the lower house are still more frequent than those for the Senate.

senatorships for the major party figures. Inevitably, these will be more experienced politicians who are more familiar to the electorate, and as such, they may face higher electoral costs. Indeed, in the decentralized party systems of Argentina and Brazil, a politician's chances of reaching the higher-level candidacies will depend on the different ways in which parties are organized in the provinces/states.

It is because of the above-mentioned factors filtering the process of political recruitment that we can expect to find a different profile for senators and for deputies. In addition, different degrees and patterns of seniority among the four Senates may also be expected. The Argentine case offers an interesting point of reference since, as we already noted, Argentina's 1994 constitutional reform included some clauses that were meant to change the Senate's composition. The most important changes were the direct election of senators, the shortening of the term length from nine to six years, and the increase in the number of senators per province from two to three (the third senator was added to represent the party obtaining the second-place position in the elections). While third senators were gradually incorporated in every partial renewal taking place between 1994 and 2001, the direct election was only implemented for all of seats in the chamber in 2001. This total renewal was unique and exceptional, and since then, the Senate has returned to the practice of having one-third of the seats open in each election. Furthermore, the 2001 election incorporated female quotas for the first time in the Senate. Thus, 2001 was a turning point in the history of the Argentine Senate due to the implementation of a number of institutional reforms that were designed to shape and recast the chamber's social and political makeup.

THE SOCIAL COMPOSITION OF THE LOWER AND UPPER CHAMBERS

This section discusses the social makeup of the four contemporary legislatures, and adopts four indicators (age average, level of female representation, level of university education and the percentage of legislators with law degrees). Table 1 summarizes the results.

The first indicator is the age of the legislators. As already noted, the minimum age for senators is higher than that for the representatives of the lower chamber in all four constitutions. The first line of table 1 compares the average age of deputies and senators at the beginning of each legislative session.¹² We have defined "age" as the difference between the

12. Due to the scarce biographies available on Uruguayan deputies, data on average age presented in table 1 only represent 67.7 percent of the chamber and were collected in a poll (PELA). Another poll involving the deputies of the previous legislature (1995–2000) produced somewhat similar results (data for 72.7 percent the deputies resulted in an average age of 47.1). In the Uruguayan Senate, data correspond to the biographies

Table 1 The Social Make Up of Lower and Upper Chambers

	Argentina		Brazil		Chile		Uruguay	
	Senators	Deputies	Senators	Deputies	Senators	Deputies	Senators	Deputies
Age average (years)	52,2	51,7	56,1	51,3	61,8	49,3	56,5	49,5
Sample size*	68	227	81	512	47	120	24	67
Female Representation	35,7 % (25)	30,0 % (76)	12,3 % (10)	8,6 % (44)	4,2 % (2)	12,5 % (15)	9,7 % (3)	12,1 % (12)
Sample size	70	257	81	513	47	120	31	99
University education	79,41 % (54)	72,05 % (165)	91,36 % (74)	79,1 % (404)	95,7% (45)	88,33 % (106)	75,86 % (22)	67,65 % (46)
Sample size	68	229	81	511	47	120	29	68
Law university degree**	55,6 % (30)	47,3 % (78)	31,1 % (23)	43,3 % (175)	44,4 % (20)	28,3 % (30)	40,9 % (9)	—
Sample size	54	165	74	404	45	106	22	—

*Sample size indicates the total of legislators on which percentages were calculated. By "female representation" the sample size corresponds to the total members of every chamber (observe that, in this legislative period, the Argentine senate was integrated by 70 members and not by 72). Concerning the other variables, the sample size is smaller because it depends on the availability of information.

** This is a share of the total of legislators with university studies. We did not find this information for Uruguayan deputies.

year in which the legislature began and the legislator's year of birth.¹³ As expected, Senate members are older than deputies, but there are also important differences among the four cases. The Chilean Senate stands out for having the oldest membership, and in Chile the difference between the age of senators and deputies is the largest (12.5 years).¹⁴ On the other end of the spectrum, Argentina has the youngest Senate as well as the smallest age difference between the lower and upper chambers (0.8 years). Since the beginning of its democratic period, the average age in the Argentine Senate has declined, while that of the chamber has oscillated between an average age of forty-nine and fifty-one (Molinelli et al. 1999, 211), although a distinctive feature of the 2001 Congress was almost negligible age differences between the chambers.

On gender composition it appears that women have a low representation in these congresses, particularly in three of the four cases (Brazil, Chile, and Uruguay), where their representation is below 12.5 percent.

provided to us by the senators, but they also cover only 77.4 percent of the total of members.

13. Due to the partial renewal of the upper chambers in three of the cases, and the partial renewal of the Argentine lower chamber, the year in which the legislature's period begins is not the first year of mandate for all the legislators.

14. In Chile, the institutional senators are the oldest with an age average of 73.3 years.

Here, Argentina stands out (over 30 percent). Chile demonstrates the highest difference between the chambers in terms of gender representation. The percentage of women in Argentina's Congress is among the highest in the world. According to the Inter-Parliamentary Union, Argentina ranks number twelve in terms of women's representation in the chamber, and fifth among the Senates (Inter-Parliamentary Union 2005). The explanation lies with the positive effects of two institutional factors: the law of quotas in place since 1991, combined with the closed list proportional representation system (Jones 1998). The quotas law requires that a minimum of 30 percent of the candidates on the closed party lists in all the electoral districts are women and that these women be placed in electable positions on the party lists. The quota system was first implemented in the 1993 elections for the chamber of deputies, but was not applied to the Senate's elections until 2001.¹⁵ When adopted in the Senate, it was mandated that one female candidate be placed on the list for one of the first two positions, which meant that the majority party would automatically elect one female and one male senator (Gray 2003, 62). The effects were clear cut: female representation jumped to 35.7 percent in the Senate where previously it had only reached 8.7 percent (Molinelli et al. 1999, 131).

In our case studies, only Argentina and Brazil have a national electoral quota system, although this system does not have similar outcomes in the two countries.¹⁶ Under the Brazilian quota law (from 1995, modified in 1997), neither gender may have less than 30 percent or more than 70 in all proportional representation elections (Lemos and Ranincheski 2003, 14). Although positive, the effects of this regulation are more modest and gradual than in the Argentine case because of Brazil's combined use of the quota law and the open list method. The fact that electors can select an individual candidate from a party's list gives no assurance that any women will be elected (Jones 1998, 17). In the Brazilian Senate the quota law has only an indirect impact, and women's increased representation is due largely to their increased participation in politics in general. Women appear to have had a better chance of entering the Senate when the two-thirds of its seats were open,¹⁷ as happened in 1995

15. In 2000, President Fernando de la Rúa enacted a regulatory decree (Decree 1246/00) through which the female quota was extended to all elected positions, that is deputies, senators and national *constituyentes* (Danesi 2004).

16. In Chile, there have been limited reforms within some political parties. In the 1990s, the Partido por la Democracia (PPD), Partido Socialista de Chile (PS), and Partido Demócrata Cristiano de Chile applied internal quotas that required women to occupy at least 20 percent of leadership positions (Gray 2003, 66).

17. In Brazil, the Senate alternatively renews one and two-thirds of its members every four years.

(women's representation increased from 1 percent in 1991 to 6 percent) and in 2003 (when it went from 7 percent in 1999 to 12 percent). In Chile and Uruguay female representation in the Senate has remained low, such that in the last four Uruguayan legislatures women have only been represented in the Senate in the last two (two and three women, respectively), and in Chile, female representation in the Senate declined from three (1990–1998) to two (1998–2002).

Comparative studies on parliamentary recruitment and educational backgrounds in developed countries show that legislators generally have higher than average education (Best and Cotta 2000, 505; Uriarte 1997, 270) and legislatures in the Southern Cone are no exception to this trend (table 1). However, while in both the Senates and the chambers the percentage of university graduates is very high, it is also apparent that the percentage is even higher in the upper house. This has been the trend in the last two decades—at least in Argentina (Molinelli et al. 1999, 210) and Brazil (Lemos and Ranincheski 2003, 15). Within the “university” category we include those who completed a university degree, as well as high school teachers (*profesores de escuela secundaria*). Our non-university category also includes legislators who achieved some level of education (although not a university degree). In the case of Argentina, for instance, 5.7 percent of the senators and 6.1 percent of the deputies without university education are primary school teachers. In the case of the Brazilian deputies without a university degree, we found that 45.7 percent had only completed the first stages of education, while 41.1 percent had taken some university classes without obtaining a degree, and 13.1 percent had obtained a technical degree.

Looking at the education levels as a whole, table 1 shows that the legislators of Brazil and Chile are comparatively more educated than their colleagues in Argentina and Uruguay. This may be an indicator of a more “elitist” legislative representation in those two countries, and, while the percentage of university graduates in Brazil's legislature has been dropping since 1988, it is still higher than is in Argentina. During the twentieth century, the number of Argentine legislators with university degrees was around 70 percent (Molinelli et al. 1999, 210), whereas Santos (2000) shows that in Brazil, the percentage of deputies with university degree was 88 percent in the 1946 democratic period; 91.3 percent in the authoritarian period; and 84 percent during the democratic period (1987–1999). In Chile, some authors observe that a greater proportion of deputies (from across the political spectrum) come from the upper and middle-upper social strata than do their Argentine counterparts (Rehren 2001, 130). It is possible to draw similar conclusions from our study, although it is also worth keeping in mind that elite representatives (such as those coming from the business sectors) may not be educated people.

Finally, we have a comment about the extent to which the educational profile of the university graduates and particularly lawyers have traditionally been the principal profession among legislators.¹⁸ Although lawyers have traditionally been a majority in all legislatures, legal profession backgrounds appear to be losing this dominant role. Table 1 does show that lawyers continue to predominate in the professional profile of Argentine legislators, but these profiles are much more diverse in Brazil and Chile—in the Senate and the chamber respectively. In the Brazilian Senate, lawyers still make up the majority of the university graduates, but economic-oriented degrees rank second at 20.3 percent, followed by engineers (18.9 percent), physicians (9.1 percent), and 16.1 percent coming from the humanities and social sciences. Similarly, social sciences and humanities, together with economics, are the second and third most common professional groups among Chilean deputies. For Brazilian legislators, Santos (2000, 97) observes that, while lawyers dominated the 1946 Republic, the democratic period initiated in the late 1980s has ended that dominance, and the greater number of engineers is indicative of the advent of the *tecnocracia* in the new democracy. His conclusions also appear to hold true for the Chilean lower house chamber, whilst the Chilean Senate, as well as the legislatures of Argentina and Uruguay, appear to be much less modernized.

Two broad conclusions arise; the first conclusion concerns how different senators are from the respective lower chambers. In this respect, constitutional dispositions concerning a higher age for Senate members result in age differences between the chambers of the same legislature; and second, senators are relatively more educated than deputies. However, all four indicators of social bicameral differences are really noticeable only in the case of the Chilean Senate, with the most "traditional" scores: much older senators; a low proportion of women, and higher levels of education and professionals coming from legal backgrounds than those prevailing in the lower house. At the other end of the spectrum with minimal social differences between the two chambers lies Argentina, showing that this has been the consequence of the total renewal of the Senate in 2001, as well as of the enlargement of its membership and the adoption of a female quota. It is possible that bicameral differences will emerge again as Argentina returns to its established pattern and timing of partial renewal.

18. For several reasons, the legal profession is one of the most compatible with politics (Molinelli et al. 1999, 67; Uriarte 2000, 118). First, lawyers are used to deal with other people and to work as advocates of their interests. Second, lawyers do not face much trouble in postponing, delegating, or adapting their professional activities to the demanding political life. Third, lawyers have a great oratorical experience and abilities. Fourth, lawyers often derive professional benefits from their experience (contacts) with the political world.

The second conclusion concerns the differentiation between the four Senates. The most striking difference is the much higher proportion of female representation in Argentina. Seemingly, too, Argentine senators are younger and somewhat less educated than their counterparts in the Southern Cone, making Argentina's legislative body less "elitist" in social terms, compared with Chile and Brazil. Educational variables show that the latter's Senates are elite institutions, albeit differentiated from each other by being, respectively, traditional (highly in Chile) and modernized (Brazil). Finally, Uruguay's Senate shows an older membership, but it is not as highly educated as its Brazilian and Chilean counterparts.

SENATORS' POLITICAL CAREERS

In this section, we explore the political background of the Senates' members with the goal to find out to what extent these chambers are composed by senior politicians. But, what exactly would be a senior politician? Is it possible to find a pattern of seniority that could work comparatively? Indeed, legislators may follow different career paths and there are many differences in the career possibilities available in federal and unitary countries (Morgenstern 2002, 16). Similarly, notable differences exist in the number of legislative terms that legislators tend to serve in every country, a reason why Polsby's concept of seniority seems rather restrictive for our comparative purposes (Polsby 1968). We regard a senator as being a senior member if, before the beginning of the legislature under study, he or she was reelected or held another equally (high) political position or positions. In other words, we do not evaluate seniority by time served in the same chamber, but by legislators' experience in the top positions of the political system. By distinguishing between two groups of senators—those who had previous experience in the highest political positions and those who did not—and, then, calculating the ratio of the first to the latter, we obtain the *seniority rate* that characterizes a determinate legislature. This allows us to compare the Senates: the higher the proportion of senior members, the more "exclusive" and closed the Senate; and conversely, a low seniority ratio characterized by the presence of many junior members indicates that the upper chamber has undergone a considerable process of membership renewal.

In order to define senior and junior positions, we first identified the highest *electoral* positions and classified as senior those who had held the following elected offices: president, vice president, or senator, as well as governor or vice governor in the federal cases. Indeed, most senators in our sample had long political careers and experience in several electoral and appointive junior and senior positions. In these cases, for classification purposes, we only registered their highest positions. Thus, senators registered as "governors" may also have been deputies and

mayors as well.¹⁹ Using this first classification we conclude that Uruguay's Senate exhibits the highest seniority rate because 64.5 percent of the senators of the forty-fifth Legislature had been reelected for at least one term. Regarding Chile and Brazil, the Senates show a similar intermediate seniority rate with 47.4 percent and 48.1 percent senior members respectively, although they differ in how this percentage is composed. In Chile (as in Uruguay), this number is a result of reelected senators, whereas in Brazil it includes ex-senators, presidents, vice-presidents, and governors.²⁰ Finally, Argentina has the lowest seniority rate with 24.3 percent of senators who had previously served as either president, senator, governor, or vice governor.²¹

We also sought to identify which other elective and non-elective positions in the political systems should be considered senior positions. Executive positions are situated at the top of the career ladder and often regarded as higher than any legislative position. Therefore, as table 2 shows, we added the national ministers—and the provincial ministers in the case of the federal countries—to the senior electoral positions. All other legislative positions (except senatorships) and all non-elective executive positions (except ministers) and mayors were

19. We do not constrain ourselves here by counting the position the senator held immediately before the beginning of the current legislature. Instead, we consider the highest electoral positions achieved by the senator. Likewise, how many of such senior positions were previously held is not relevant to our classification, but the fact that the senator held at least one of them is.

20. According to Carey (1999, 376–381), since Chile's return to democracy, some 80 percent of the Chilean deputies sought reelection and some two-thirds of them achieved it. In the Senate's case, the legislators' success in the search for either election or reelection was lower; although the number of deputies running for the Senate increased, the rate of success diminished. The reelection rate was high (50 percent) but still lower than the chamber's. In other words, as we stated in section 2, in Chile the Senate's positions are attractive to career politicians but also difficult to win. In Uruguay, since the end of the military regime, about 70 percent of the legislators have been seeking reelection. The success rate has been lower than in Chile, but increasing over the years (48.9 percent in 1989, 54 percent in 1994, 64.9 percent in 1999, according to Chasquetti [n.d.]).

21. In his study of political careers and party discipline in the Argentine chamber of deputies, Jones (2001, 205) stressed that political careers are extremely party oriented. He pointed out that those who become deputies have already had experience in other elective, appointed (in the national or provincial executives) or party positions. Furthermore, although deputies tend not to remain in the chamber (the reelection rate is around 20 percent and the average deputy serves only one term in office), virtually all of them continue in elected, appointive or party posts after their tenure in the chamber. Because of this, most Argentine legislators are regarded as "amateur legislators" but nonetheless "professional politicians" (Jones et al. 2002, 659). In Brazil, political careers do not involve a long permanence in the lower chamber either, but reelection rates are considerably higher (according to Samuels 2003, 39, they oscillated between 54.5 and 69.4 after 1985).

classified as junior.²² Having done this, we continued giving priority to the senators' previous experience in electoral posts, which means in practice that senators who were classified as senior for their experience as governors or presidents, may have been ministers as well. We only specifically registered the "minister" (non-elected) position when the senator had not had experience in any other senior (elective) position, or when the elective positions held by him or her had been junior instead of senior. In this sense, the senators coming, for instance, from a junior position as the chamber of deputies, were only classified as seniors if they had had the opportunity to act as ministers at the provincial or national level. Finally, senators who did not have any experience in public electoral or appointed positions were separated from the junior and senior categories.

The most notable effect of this reclassification was the improvement of Argentina's seniority rate. However, our initial ranking of seniority is not altered with the incorporation of ministerial positions. As the table shows, the Uruguayan Senate still maintains the highest seniority rate, and the Brazilian and the Chilean Senates follow with 55.6 percent and 52.7 percent of senior members respectively.²³ In the Chilean case, it must be remembered that seniority is considerably strengthened due to the eight-year service of the designated members who, as we have seen, represent around 20 percent of the Senate. Because of this, the Chilean Senate can be regarded as the most senior upper chamber in the Southern Cone. Conversely, the majority of the members of the Argentine Senate (55.7 percent) comprise people without previous experience in senior positions, and our data show how the total renewal of the 2001 legislature permitted the political promotion of many (formerly) junior politicians. The "others" category in the table further accentuates this tendency and the female quotas are likely to be an explanatory factor of the large number of senators entering without much political experience (the four cases in this category are women).²⁴ In the other three cases, the "others"

22. Classifying all ex-mayors as junior members can have its problems in Brazil. For Samuels (2003, 208–9, 315), running for mayor (particularly in mid to large cities) is an indication of progressive ambition. According to this author, political ambition begins and ends at the subnational level: service in the chamber serves merely as a springboard to higher offices, at a lower level of government. We decided, though, to consider mayors as junior members in order to be consistent in all four cases, and because the scope of the senatorship, as well as of the other senior positions, is the province or the nation.

23. It is important to take into account that, in these two cases, the Senate elections involve the partial renewal of the Senate. Therefore, for our records, the previous positions of half of the current Chilean senators are the ones held before 1998, four years before the beginning of the current legislature when democracy was only eight years old (and the Senate had only been partially renewed three times).

24. Data on previous legislative periods show that the Senate never had had members without political experience (Jones 2001, 209).

Table 2 *Political Careers (Highest Political Position(s) Achieved by the Senators)*

	Brazil	Br.%	Argentina	Arg.%	Chile	Ch.%	Uruguay	Ur.%
Senior Positions*	45	55,6	27	38,6	20	52,7	20	64,5
president	0	0	1	1,4				
senator and president/vicepresident	2	2,5		0,0				
senator and governor	10	12,3	2	2,9				
senator	14	17,3	8	11,4	18	47,4	20	64,5
governor	13	16,0	4	5,7				
vice-governor	0	0,0	2	2,9				
national deputy and minister	2	2,5	4	5,7				
major and minister		0,0	2	2,9				
provincial legislator and minister		0,0	2	2,9				
minister (national or provincial)	4	4,9	2	2,9	2	5,3		
Junior Positions**	31	38,3	39	55,7	14	36,8	10	32,3
national deputy	12	14,8	10	14,3			4	12,9
national deputy and major	6	7,4	2	2,9			1	3,2
major	4	4,9	7	10,0			2	6,5
provincial legislator	8	9,9	11	15,7				
municipal legislator/ <i>convencional constituyente</i>	0	0,0	3	4,3			0	0
public national or provincial positions (2 rank)	1	1,2	6	8,6			3	9,7
Others (non-public positions)	5	6,2	4	5,7	4	10,5	1	3,2
Total	81		70		38		31	

Others Br.: 1 entrepreneur; 1 trade unionist; 1 ex-governor's wife; 1 physician; 1 clergyman

Others Arg.: 1 university professor, 1 lawyer, 2 teachers

Others Chile: 2 military, 1 entrepreneur, 1 party leader (and presidential candidate)

Others Ur.: 1 ex-president's wife

* This line includes the total of senior positions

** This line includes the total of senior positions

category is composed by renowned persons or persons with links to the "powerful": for example, an ex-president's wife in Uruguay; an entrepreneur, trade unionist, ex-governor's wife, a senior physician and a clergyman in Brazil; and two military servicemen, an entrepreneur and a party leader (and presidential candidate) in the case of Chile.

Information on the political profiles of lower chamber legislators confirms that upper chambers concentrate greater political expertise. In contrast to the Senate, the vast majority of deputies had no previous experience in top positions: only 6.3 percent of the members of the

Brazilian chamber's concurrent legislature and 5.8 percent of Argentina's deputies had previously served as governor, vice governor or senator. In Chile, only one of the deputies (a woman) had previously been senator for four years; whereas in Uruguay, 11.1 percent of the deputies had spent some time in the Senate, but as senators' substitutes.

CONCLUSION

A principal justification for bicameral legislatures has been their contribution to the improvement of the quality of the legislative outcomes (Tsebelis and Money 1997, 40). Certainly the mere presence of a second chamber creates the possibility of quality control, but the idea of reaching it through a "council of elders," who could bring their experience and wisdom to the government, has also long been advocated. The institutional provisions to promote the development of a quality role in the upper chambers exist within bicameral systems worldwide, and, as we have seen, Latin America is no exception. Furthermore, the study of the social and political profiles of the senators suggests that the upper chambers hold diverse forms of expertise, which appear in the four cases in differing degrees. There are "professional experts" who have achieved expertise through their education and are able to bring the knowledge of their professions to the parliamentary arena; "professional politicians" with long political careers capable of contributing to the varied tasks of the legislatures, (i.e., legislation, representation and control); and "professional legislators" with previous experience in the passage of laws. Among the four Senates, those of Chile and Uruguay stand out for having the largest share of senior members. In the first case, seniority is particularly noticeable in the social attributes of its members and the relatively high number of designated members; whereas in Uruguay, seniority is mainly expressed through the integration of the upper chamber with senior politicians. The Brazilian Senate is also a very elitist chamber, not only because it has a high number of senior politicians, but also for the level and type of education of its members. Finally, as the framers of constitutions had originally desired, in all the three cases senators are significantly older than deputies.

Relatively little is known about the role that Senates play in the legislative system, but this study shows that the Senates of the Southern Cone possess high levels of expertise, including legislative experience. Senators develop their skills as professional legislators for two reasons: first, their tenures are longer, thus even one period in this chamber provides opportunities to specialize and develop skills as legislators (consider that those staying for a second period accumulate sixteen years [Brazil] or twelve years [Argentina] of legislative experience); second, because senators are senior politicians they have, as we have seen, previous

experience either in the Senate or in other legislative bodies, such as the lower chamber or the provincial legislatures.

Finally, it is apparent that the Argentine Senate differs from the other three cases for being a much “younger” chamber. As we have seen, this is one of the consequences of a series of institutional reforms implemented in recent years based on the 1994 constitutional reform. An interesting point for discussion would be whether having a junior Senate (i.e., one that resembles the lower house) would be better for the legislative system, but for the moment we can say that there is no doubt that this Senate is different from the previous. The 2001 (total) membership renewal took place only one year after a bribery scandal, involving some of the senators, provoked the resignation of the vice president, and was the beginning of the end of the Alliance’s mandate, which led to a general discredit of the Argentine political class. In conclusion, if our four cases demonstrate how important the prevailing institutional set of opportunities is for orienting political careers, the Argentine case provides an extreme example of how institutional reforms can determine the course of career politicians.

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