



THE ROLE OF THE SENATE IN THE MEXICAN LEGISLATIVE PROCESS (1997-2012)

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1 Introduction

The adoption of bicameralism as a form of organization of the Legislative is associated with two main ideas: 1) differentiation in representation and 2) improvement and stability in legislative production through the duplication of legislative bodies - or redundancy. On the first point, the existence of a second chamber would be justified by giving different representation to certain groups, be they territorial, class, ethnic, religious, etc. In other words, "a powerful justification for a two-chamber parliament lies in the demand for representation" (PATTERSON; MUGHAN, 1999, p.10). In this case, one of the chambers is formed by population representation - direct representation of citizens - while the other "can give voice to the interests of social classes, economic interests, or territorial diversity" (PATTERSON; MUGHAN 1999: 10). that is to say, the bicameral structure "has often been used to accommodate the interests of different constituencies or simply interests that tended to diverge from one another in order to promote legislation based on greater political and social consensus" (LLANOS, 2002, p.3). In short, one of the main justifications for the adoption of bicameralism is the search for differentiated representation, which would require a greater negotiation and consensus of the agents for the approval of policies.

Already, redundancy can be defined as "a reinforcement mechanism, or safeguard, for the event where the system ceases to operate fully" (UHR, 2008, page 482). In this sense, a second chamber would function as a mechanism to improve legislative quality, allowing a re-reading of the projects, issuing a second opinion, forming a system of mutual control between the two chambers, which creates a system of quality control of the legislative production , "Based on the repeated evaluation of legislation by two different legislative bodies" (LLANOS, 2002, p.3). The existence of a second chamber is also defended, since it would to avoid a tyranny of the majority - or tyranny of the lower house - which would make it an element of preservation of individual

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freedoms, either by controlling the actions of the government, or by creating the need for broader agreements for the passage of laws and regulations. Finally, a final feature of the bicameral system is to foster stability in legislative production, since it complicates the process of approving new laws (Idem, *ibidem*). Thus, the redundancy element of the bicameral system is related to the idea of improving legislative quality, stability in the production of laws and political control - both between the chambers and other branches of the State.

These two ideas are also associated with the two central dimensions for the study of bicameral systems formulated by Lijphart (2008): 1) symmetry / asymmetry and 2) congruence / incongruity. Roughly, symmetry refers to the equality of constitutional powers between the two chambers, while congruence is associated with the form of composition of each of the legislative houses. In Lijphart's analysis (2008), strong bicameralism appears as an element of the consensual model of democracy, while unicameralism is linked to the majority model. However, between these two poles - unicameralism and strong bicameralism - there is a range of intermediate cases. Thus, the author (LIJPHART, 2008) formulates a classification of bicameral systems based on the two dimensions highlighted by it: 1) strong bicameralism, which combines symmetry with incongruity; 2) medium strength bicameralism, which combines both asymmetry with incongruity and symmetry with congruence; 3) weak bicameralism, those that are classified as asymmetrical and congruent.

Starting from these two axes, the bicameralism adopted in Mexico can be classified as strong. In this case, the constitutional powers are shared in a similar way between the chambers - which leads us to consider it symmetrical - and the form of selection of the members of each house occurs in a differentiated way: even both being formed through direct elections, the electoral formula is different for each legislative house. In addition, the second chamber has as justification the equal representation of the federated entities, which gives it a strong territorial character.

Thus, this work will present a picture on the functioning of Mexican bicameralism from three elements: 1) the party composition of its chambers, 2) the role of the Senate in initiating and approving laws, and 3) by Mexican legislators. From these data, it will be possible to draw a picture on the participation and impact of the Mexican Senate in the country's legislative process.

2 Political composition of legislative houses in Mexico

The periodization used in this article is due to the long process of political openness made possible by a series of electoral reforms that have taken place in that country in recent decades. This process of political openness is due to the pressure for democratization derived from the exhaustion of the hegemonic party system. Thus, between the end of the 1980s and the elections in 2009, Mexico presents a path of consolidation of a parliamentary partisan system with moderate pluralism. The 1988 election to begin the analysis of party composition in that country aims to

demonstrate the results of this process of reforms, mainly electoral, on the hegemonic role of the PRI (Partido Revolucionario Institucional) in the legislature of that country.

In this case, a first point to highlight is the impressive presence of PRI in both houses. The bibliography on Mexican politics highlights the central role of the PRI in that country's political system. During most of the twentieth century, this party was hegemonic in Mexican politics, having occupied the presidency of the Republic and most of the elective positions of the Mexican State for approximately seventy years. From the Mexican Revolution, the PRI fulfilled the role of agglutinator of the political elites identified with this movement and remained as hegemonic party at least until 1997, when it loses the absolute majority of the seats in the Chamber of Deputies. Continuing this process of loss of the hegemonic role of the PRI, we have that in 2000 this party loses for the first time a presidential dispute.

This decrease in PRI electoral power can be explained by the long process of electoral reforms carried out in Mexico since the 1970s, but mainly in the 1980s. These multiple electoral reforms led the Mexican party system from a situation of a hegemonic party system, or dominant, to a system of moderate pluralism, "both by the number of organizations that integrate it and by the centrist focus of its ideological coverage" (ALGAZI, 2001, 212). The effects of this long process of electoral reform on the size of the PRI bench for the Chamber of Deputies can be seen if we compare the importance of this party in this legislative house, presented in Table 1, with a period immediately preceding: between 1946 and 1961, the PRI controlled more than 90% of the seats in the lower house; between 1964 and 1976, this percentage suffered a small fall, passing to the environment of 80%; between 1979 and 1985, this percentage is now around 75 and 72% (CASAR, 2002, p. 127). Then, until 1985, the PRI had a qualified majority in the Chamber of Deputies. Added to that, the same party also controlled the federal executive and almost all the senators - in 1982, 63 of the then 64 senators belonged to the PRI -, which guaranteed a wide dominion over the national political process.

Table 1 – Party composition: House of Representatives.

	1988	1991	1994	1997	2000	2003	2006	2009
PRI	52,0	64,0	60,0	47,8	42,2	44,8	20,8	47,4
PAN	20,4	17,8	23,8	24,2	41,4	30,2	41,2	28,4
PMS	3,6							
PFCRN	7,6	4,6						
PARM	6,0	3,0						
PVEM				1,6	3,4	3,4	3,8	4,2
PT			2,0	1,4	1,4	1,2	3,2	2,6
PPS	7,4	2,4						
Coalition	3,0							
PRD		8,2	14,2	25,0	10,0	19,4	25,2	13,8
Convergence					0,6	1,0	3,2	1,6
PANAL					0,6		1,8	
PASDC					0,4		0,8	
New Alliance								1,8
Independents								0,2

Source: Sáez (2003), <http://www.diputados.gob.mx/inicio.htm>.

Another element that stands out from the party composition of Mexico's legislative houses is the emergence of new party associations in legislative houses. In addition to the PRI and PAN (Partido Acción Nacional), its traditional adversary, the Mexican Congress has representatives from the PRD (Partido de la Revolución Democrática), PT (Partido Del Trabajo), PVEM (Green Ecologist Party of Mexico) and or Convergence. In addition to these parties there are also small parties of ephemeral life that win seats in some elections but which, due to the highly exclusive rules of the Federal Code of Institutions and Procedimientos Electorales can not keep their records.

Table 2 – Party composition: Senate - Mexico

	1988	1991	1994	1997	2000	2003	2006	2009
PRI	93,8	95,3	74,2	60,1	46,9	44,6	25,8	25,8
PAN		1,6	19,5	25,8	35,9	36,7	40,6	39,1
Alliance	6,2							
PVEM				0,8	3,9	3,9	4,7	4,7
PT				0,8	0,8		3,9	3,9
PRD		3,1	6,3	12,5	11,7	11,7	20,3	19,5
Convergence							3,9	4,7
PANAL					0,8		0,8	
Independents						3,1		2,3

Source: Sáez (2003), www.senado.gob.mx.

When we compare the composition of the two chambers, we can see that the presence of the PRI in the Senate is more significant than in the Chamber until 1997 - even though it suffered a significant decrease in the size of its bench, this party continues to control the majority of seats in the Senate, while in the Chamber he already loses this majority in 1997. It is important to point out that in 1997 there were no elections for the Senate, only for the Chamber of Deputies, since the Senate's renewal takes place in full every six years, while in the Chamber this renewal is every three. In addition, while in the Senate, in the first two legislative periods, the PRI can be considered the only party, since it controls more than 90% of the seats, in the Chamber that percentage did not exceed the 60% mark, that is, the difference in bench size is significant.

In short, the Mexican party system has undergone a significant change in the last 20 years, moving from a hegemonic party system to a competitive system composed of three main parties (PRI, PAN, PRD) plus three emerging parties (PVEM, PT, Convergencia), in addition to some smaller parties and ephemeral life (DELGADO, 2007). These small parties have little representation at the national level, but they are pieces of significant electoral alliances: in the midterm elections of 2009, for example, the electoral alliance between PRI and PVEM ends up controlling most of the seats - 47.4% and 4.2%, respectively - which "gives them a force that the rest of the parties do not have" (NORZAGARAY, 2011, p.169). In this case, the PRI-PVEM alliance represented a driving problem for the PAN-government party in that period-since it did not control most of the seats in any of the chambers².

Another point to compare between the chambers is the number of parties with

² Another problem faced is that the PAN only controls 8 states, while the PRI governs 18 and the PRD other 6., "In the face of this situation the NAP has to negotiate at a disadvantage laws and budgets with the legislative fractions of the PRI" (NORZAGARAY, 2011, p. 169).

representation in each of them. Table 3 shows the total number of parties and the difference between legislative houses.

Table 3 – Total number of parties in the legislative houses of Mexico.

	1988	1991	1994	1997	2000	2003	2006	2009
Chamber of Deputies	7	6	4	5	8	6	8	8
Senate	2	3	3	5	6	5	7	7
Difference	5	3	1	0	2	1	1	1

Source: Rubiatti (2014).

As can be seen, the difference in the number of parties present in the Mexican legislative chambers is low. With the exception of the first two periods - 1988 and 1991 - this difference is no more than two parties (in 2000), but for most of the period this difference is only one party, arriving and matching in 1997. Difference in the size of the seats, looking only at the total number of parties can be misleading, so the use of the effective number of parties can provide a more adequate view.

From the data presented in Table 4, it is possible to perceive that the difference in the effective number of parties between the two chambers is basically insignificant: only in the first two legislative periods this difference is greater than one. It is also interesting to note that there appears to be a tendency towards the formation of a three-party parliamentary party system, or whether, prior to the electoral reforms of the 1980s, the Mexican party system could be characterized as being a hegemonic party, today this system is more plural, involving a competition between three main parties.

Table 4 – Effective number of parties in legislative houses in Mexico.

	1988	1991	1994	1997	2000	2003	2006	2009
Chamber of Deputies	3,04	2,21	2,29	2,86	2,77	3,01	3,58	3,05
Senate	1,13	1,10	1,69	2,25	2,74	2,85	3,59	3,78
Difference	1,91	1,11	0,6	0,61	0,03	0,16	0,01	0,73

Source: Rubiatti (2014).

A last point to be addressed is the size of the party seats in each chamber, in other words if the party seats occupy the same position in both chambers. For this, we compare the seats of the three main parties - PRI, PAN and PRD - in each legislative period. We confine ourselves to these parties as they occupy the first three positions in each chamber throughout the analyzed period.

Frame 1 – Main benches in the legislative houses of Mexico.

	1988	1991	1994	1997	2000	2003	2006	2009
Chamber of Deputies	PRI (52%)	PRI (64)	PRI (60)	PRI (47,8)	PRI (42,2)	PRI (44,8)	PAN (41,2)	PRI (47,4)
	PAN (20%)	PAN (17,8)	PAN (23,8)	PAN (24,2)	PAN (41,4)	PAN (30,2)	PRD (25,2)	PAN (28,4)
		PRD (8,2)	PRD (14,2)	PRD (25,0)	PRD (10,0)	PRD (19,4)	PRI (20,8)	PRD (13,8)
Senate	PRI (93,8)	PRI (95,3)	PRI (74,2)	PRI (60,1)	PRI (46,9)	PRI (44,6)	PAN (40,6)	PAN (39,1)
		PRD (3,1)	PAN (19,5)	PAN (25,8)	PAN (35,9)	PAN (36,7)	PRI (25,8)	PRI (25,8)
		PAN (1,6)	PRD (6,3)	PRD (12,5)	PRD (11,7)	PRD (11,7)	PRD (20,3)	PRD (19,5)

Source: Rubiatti (2014).

In the legislative periods of 1988, 1991, 2006 and 2009 there are differences in the order of political parties in each chamber: in 1988, despite being the second largest party in the Chamber of Deputies, the PAN does not get any seats in the Senate; in 1991, the PAN and the PRD occupy different positions in each of the houses - in the Senate the PAN occupies the third place and the PRD the second, and this situation is reversed in the Chamber of Deputies; in 2006, the PAN occupies the first position in both chambers, but the PRI and PRD change positions in each of the houses - the PRD is the second largest party in the Chamber and the third in the Senate, while the PRI occupies the third place in the Chamber of Deputies and the second in the Senate –; in 2009, the difference is between the PRI and the PAN, while the first comes back to have the largest bench, the latter remains the second largest party in the Senate. In addition, until 1997, it can be noted that the PRI bench in the Senate is higher than in the Chamber of Deputies.

3 The Mexican Senate in the Legislative Process

As we saw earlier, when it comes to the decision-making process in Mexico, it is important to note the changes that have occurred in recent decades. From the 1920s until the 1990s, the country lived under a hegemonic party system, in which the PRI had, in addition to the presidency of the Republic, most of the seats in both the House and the Senate. From the reforms implemented in the 1980s and 1990s, this situation changes: the PRI gradually loses its electoral strength, and in 1997 it was unable to form a majority party in the Chamber of Deputies, and in

2000 an opposition party (PAN) Presidential elections. This process has an important impact on the relationship between the Executive and the Legislative, since the presidential system implemented in Mexico provides few proactive powers to its chief executive (WELDON, 1997).

According to Mainwaring and Shugart (1997, 13), there are two categories of presidential powers: constitutional powers and partisan powers. Roughly speaking, constitutional powers allow the president to shape policy outcomes. Examples of such powers include the veto power (total or partial), the power to issue law decrees, and the executive's initiative on certain policies. Party powers, on the other hand, are skills in shaping the law-making process that are based on the president's position vis-à-vis the party system. The Mexican case does not have a wide range of constitutional powers. The president of Mexico has initiative of laws and can veto them, with the exception of the constitutional amendments. Still on the veto power, it should be noted that the Mexican president can not approve part of one law and veto another. Regarding the constitutional powers, it is important to point out that the Mexican president has no power of decree (WELDON, 1997).

Besides this difference in constitutional powers, there is also the question of partisan powers: the Mexican president is usually a party leader. This fact leads Weldon (1997, 255) to affirm that the strength of the Mexican president is not due to his constitutional powers, but to the extraordinary centralization of decision-making within the party. As a party leader, the Mexican president has great influence on nominations for candidates for other elective positions, including candidates for state governments. Until recently the Mexican political system lived under the hegemony of the PRI, which reinforced the powers of the president, since the absolute majority of the seats in the two legislative houses, in addition to most of the subnational governments, were occupied by members of the same party. president.

Thus, the executive's decision-making capacity rested chiefly on the role of party leader exercised by the president. With the increasing role played by the opposition within Congress, this decision-making capacity is diminished and, consequently, the role of the Executive in the process of creating laws also.

The data presented in this paper cover the last two legislatures under the hegemony of the PRI (LV and LVI, respectively 1991-1994 and 1994-1997) and the legislatures under divided government, that is, in which the party that controls the Executive does not have the absolute majority of seats in legislative houses (from LVII to LXI, from 1997 to 2012).

Table 5 - Initiatives by origin, total numbers.

	LV (1991- 1994)	LVI (1994- 1997)	LVII (1997- 2000)	LVIII (2000- 2003)	LIX (2003- 2006)	LX (2006- 2009)	LXI (2009- 2012)
Executive	164 (57%)	107 (32,2%)	56 (7,4%)	86 (5,3%)	76 (2,1%)	71 (1,6%)	56 (1%)
Deputies	117 (40,6%)	165 (49,7%)	572 (75,4%)	1059 (64,8%)	2773 (75,2%)	2732 (63,3%)	3624 (68%)
Senate	5 (1,7%)	47 (14,1%)	95 (12,5%)	400 (24,5%)	710 (19,2%)	1401 (32,5%)	1549 (29%)
Congress Locals	2 (0,7%)	13 (4%)	35 (12,5%)	89 (5,4%)	129 (3,5%)	112 (2,6%)	107 (2%)

Source: Rubiatti (2014).

A first element to note is the participation of each actor (Executive, House of Representatives, Senate and state legislatures) in the presentation of bills. At the 55th Legislature, the Executive was responsible for presenting the largest number of initiatives: 164. MEPs presented a slightly lower number (117), while the Senate had a very small share (5). It should be noted that in this legislature there was still a hegemonic party system, in which 95.3% of the Senate seats were occupied by PRI members and 64% of the deputies belonged to the same party. The 56th Legislature presents a slightly different picture: Executive participation falls and grows in that of the Legislature. For the purpose of this article, it is important to stress the growth of the Senate's participation in this legislature: if between 1991 and 1993 the Senate presented only 5 bills (1.7% of the total presented in that period), between 1994 and 1996 this chamber is responsible for 47 projects (14.1% of the proposals initiated). This growth is mainly due to 1) growth in the total number of senators (in this legislature the number of senators doubles, from 64 to 128) and 2) to the decrease of the PRI bench (in the previous legislature, this party controlled 95, 3% of seats, while in 56th this number drops to 74.2) and, consequently, to the increase of the presence of opposition parties in that legislative house.

Since 1997, this picture has changed profoundly. As stated earlier, the results of these elections begin the period of divided governments, where the PRI president's party does not control most of the seats in the House of Representatives. Although the PRI still holds a large advantage over the second largest bank - the PAN, with 25% of the seats, while the PRI still controls 47.8% - it is no longer possible for the executive to approve its proposals only with the votes of deputies of your party.

This change can be perceived by the decrease in the number of proposals sent by the Executive to legislative houses: the participation of this branch of the State in the initiative of bills falls from 57% in the first legislature analyzed here to 7.4% in the 57th Legislature that this drop remains constant until the end of the period, when the Executive was responsible for only 1% of

the bills initiated. It is important to note that this fall does not refer only to the total number of laws initiated by the Executive (164 between 1991-1994 and 56 between 2009-2012), but it is also related to the dizzying growth of proposals from the two legislative houses of the National Congress and, to a lesser extent, state legislatures.

For the purpose of this work, it is important to analyze what occurred in both chambers separately so as to perceive similarities and differences in the processes occurred in both houses. We will begin the analysis from the data on projects presented in the Chamber of Deputies.

Table 6 – Laws initiated in the Chamber of Deputies Mexico.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Executive	124 (51%)	84 (33%)	36 (5,6%)	63 (5,3%)	49 (1,7%)	42 (1,5%)	32 (0,9%)
Deputies	117 (48%)	165 (66%)	572 (89,2%)	1059 (87,8%)	2773 (94,4%)	2732 (95,2%)	3624 (97%)
Congress	2 (1%)	1 (1%)	33 (5,2%)	83 (3,9%)	117 (3,9%)	97 (3,3%)	79 (3,3%)

Source: the author (2017)

Note: Manufactured from Rubiatti (2014).

As stated earlier, the Executive's participation in the bill initiative also falls when only the data of the Chamber of Deputies are analyzed: from 124 in the 55th legislature to 36 in the 57th, ie if in the first two legislatures the Executive was responsible for 51 % and 33% of the laws started, from the 57th onwards, this share fell sharply: 5.6% in the first legislature of divided governments, reaching 0.9% in 2009-2012. On the other hand, Members' participation grows sharply: if in 1991-1994 117 projects were initiated by Members, this number reaches 3624 in the 2009-2012 period. That is, in the 55th Legislature the division of initiatives in the Chamber of Deputies was shared almost equally between the Executive and the deputies (51% for the first and 48% for the second); in the 61st MEPs are responsible for almost all the projects presented in this legislative house (97%).

In the Senate similar thing happens, but some differences must be highlighted. The first refers to the difference in the electoral calendar: while the House of Representatives is renewed every three years, the Senate does so only every six years. For this reason, it is only in 2000 that the PRI loses control of the absolute majority of the seats in this legislative house, since the 1997 elections are intermediate, only contemplating the Chamber of Deputies.

Table 7 – Laws Initiated in the Mexican Senate.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Executive	40 (89%)	23 (28%)	20 (17%)	23 (5,3%)	27 (3,6%)	29 (2%)	24 (1,5%)
Senate	5 (11%)	47 (57%)	95 (81,2%)	400 (91,3%)	710 (91,3%)	1401 (97%)	1549 (96,8%)
Congress	0 (0%)	12 (14%)	2 (1,8%)	15 (3,4%)	12 (1,6%)	15 (1%)	28 (1,7%)

Source: the author (2017)

Note: Manufactured from Rubiatti (2014).

Another difference is that, contrary to what happens in the lower house, where the number of Executive proposals falls from 124 to 32, the number of projects sent by this branch of the State to the upper house remains almost constant from the 56th term (1994-1997): between 20 and 29 projects are sent by the Executive to the Senate. On the other hand, the growth of the proposals initiated by the senators was, more than in the Chamber of Deputies, vertiginous and constant: between 1991-1994 the senators presented only 5 projects, already in 2009-2012 this number went to 1549. For this reason, the Executive's contribution to the projects presented in the Senate fell sharply from 89% in 1991-1994 to 1.5% in 2009-2012.

In sum, what can be noticed is that the executive's role of initiative suffers considerable reduction in both houses. To this process is added the vertiginous growth of proposals of the legislators themselves, in both legislative chambers, which ends up reducing the Executive to a supporting role in the number of projects presented.

This growth in the number of proposals can also be seen when we take into account the relationship between projects submitted and the number of members of each house, that is, the average number of bills submitted by both deputy and senator. As can be seen in Table 8, this average also shows strong growth, especially after the 57th Legislature, a fact that is present in both chambers. As pointed out earlier, MEPs are responsible for presenting the largest number of projects over most of the period - except for the 55th term. However, this does not mean that members of this legislative house are more productive than senators. This greater number of projects, and the consequent greater relative weight in the initiatives, is related to the larger size of the legislative body of the lower house: while the senate is formed by 128 members, the chamber is composed of 500 deputies.

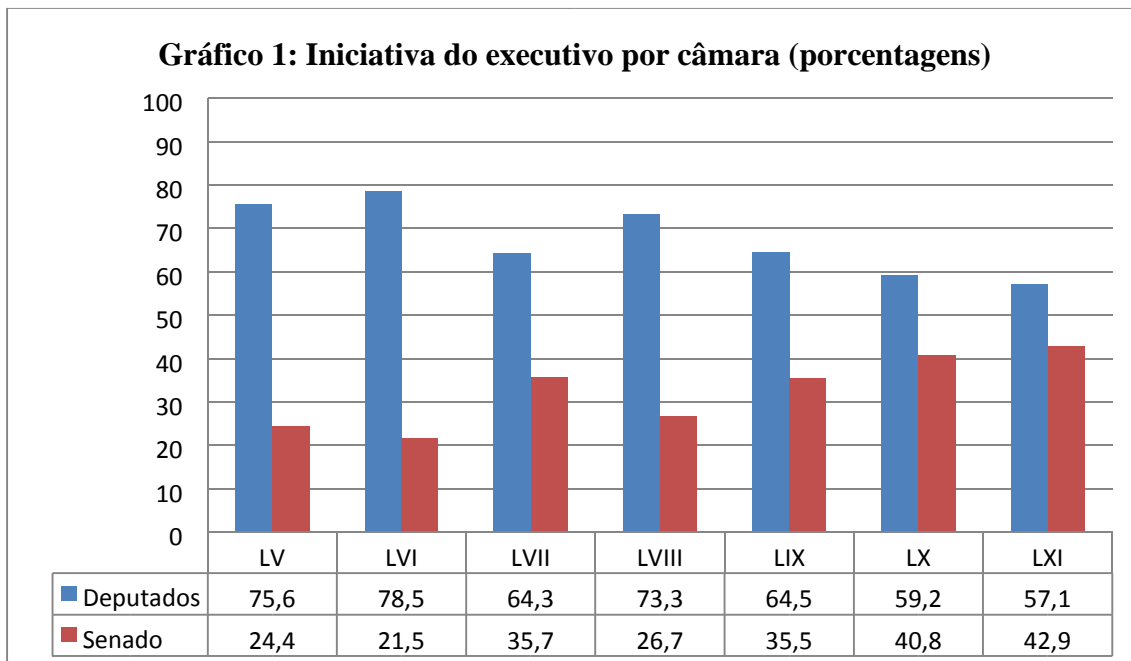
This is made clear by looking at data on the average number of initiatives per household member in the table below. From the 58th legislature - when both houses do not have any party controlling the absolute majority of the seats - the Senate average is higher in basically all legislatures, with the exception of the 59th, where this indicator is almost equal for both The houses. In addition, in the last two legislatures analyzed, the Senate average is significantly higher. In sum, when we take into account the average number of projects presented in each chamber, we will see that in the period of divided governments the senators appear as more propositions than the deputies.

Table 8 – Average number of projects initiated by members of each legislative house.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Deputies	0,23	0,33	1,14	2,12	5,55	5,46	7,25
Senators	0,08	0,38	0,76	3,12	5,54	10,95	12,10

Source: Rubiatti (2014).

A first point to note is that, in line with what happens with the initiatives, the Executive's participation in the total of approved laws is decreasing throughout the period. In the Chamber of Deputies, this number drops from 122 to 25, while in the Senate this decrease is from 40 to 14. This difference can be explained by the Executive's own performance in front of the two houses: the Mexican Executive gives preference to start his projects by the Chamber of Members.



Graphic 1: Chamber executive initiative (percentages); Deputies; Senators.

Nource: the author (2017)

Note: Manufactured from Rubiatti (2014).

Throughout the period, more than half of the Executive's initiative projects were sent to the lower house, but this difference between the chambers diminishes over time: in the 55th legislature, 75.6% of the executive's initiatives began their Chamber of Deputies, already in the 61st legislature, this number drops to 57.1%, that is, apparently there is a tendency of the Executive to balance its initiatives between the chambers.

However, the draft law initiative does not indicate legislative capacity alone, ie initiating a project does not mean being able to implement it. For this reason, we will now analyze the data referring to the projects approved in each of Mexico's legislative houses

Table 9 – Laws passed in the Chamber of Deputies.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Executive	122 (82%)	83 (77%)	32 (21,1%)	55 (17,6%)	31 (7,4%)	38 (10%)	25 (11,3%)
Deputies	26 (17%)	24 (22%)	116 (76,3%)	240 (76,9%)	372 (88,6%)	333 (87,4%)	195 (87,2%)
Congress Locals	1 (1%)	1 (1%)	4 (2,6%)	17 (5,5%)	17 (4%)	10 (2,6%)	1 (2,6%)

Source: the author (2017)

Note: Manufactured from Rubiatti (2014).

The data presented in Tables 9 and 10 also point to a similar trend between the Chamber of Deputies and the Senate: in both houses there is a strong growth in the approval of own projects between the periods of the 55th to 60th legislature, with a decrease in the total number of laws approved in both houses in the 61st. Despite significant numbers of legislators' own initiative bills in their own homes, this growth is significantly lower than that of laws initiated. It is important to highlight the role of the 57th legislature in this performance of legislators: it is from there that the House of Representatives passes more than 100 projects authored by its members, in a growing movement up to the 59th, reaching its highest amount (372) . After this legislature there is a small fall in the 60th (333) and one more pronounced in the 61st (195).

In the Senate there is something similar: it is from the 57th legislature that the bills approved of origin in this house reach two digits, being from the 58th are close to 100, which can be explained by the non-renewal of the Senate in 1997. It is important to note that, in the two legislatures under the hegemonic system (55th and 56th), the senators' participation in the amount of laws approved in their own home is low, that is, of the projects approved in the Senate between 1991 and 1997, almost there are no projects of initiative of the senators themselves, which made the Executive responsible for starting almost all the projects that were approved. As of 1997, this situation changes and the projects formulated by the senators themselves have a greater chance of being approved, and at the end of the period these projects represented more than 80% of the projects approved by that house.

Table 10 – Laws passed in the Senate.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Executive	40 (93%)	23 (100%)	17 (47,2%)	16 (15,7%)	19 (16,4%)	22 (8,9%)	14 (13,2%)
Senate	3 (7%)	0 (0%)	19 (52,3%)	85 (83,3%)	96 (82,7%)	222 (89,8%)	92 (86,8%)

Source: the author (2017)

Note: Manufactured from Nacif (2006a, 2006b), Legislative Information System.

The Chamber of Deputies has a similar behavior: in the first two periods, the Executive is responsible for initiating the approved projects (82% and 77% of the approved laws were initiated by the Executive). In the 57th, the Executive was responsible for starting only 21.1% of the projects that were approved in the Chamber of Deputies and this index continued to fall until reaching 10% in the 60th legislature.

Finally, one last element to highlight is the success rate of each of the Powers in the process of creating laws. As can be seen in Tables 11 and 12, despite its fall, the Executive's success rate is consistently higher than that of senators and deputies. This can be explained by the phenomenon of anticipation, that is, knowing that it may face resistance to some of its projects, the Executive avoids sending them. With this, the number of projects sent by this Power to the legislative houses decreases. However, the projects submitted have a high chance of being approved.

Table 11 – Success rate in the Mexican Senate.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Executive	100	100	85	69,5	70,3	75,8	58,3
Senate	60	0	20	21,2	13,5	15,8	5,9

Source: the author (2017)

Note: Manufactured from Rubiatti (2014).

Here it is important to highlight the difference presented by each chamber in relation to this rate. If before the formation of divided governments (55th and 56th Legislatures) almost all for the Chamber of Deputies and the totality for the Senate of the Executive's projects were approved, the situation changes after 1997, when the Executive begins to face greater problems for the approval of your projects.

Table 12 – Success rate in the Mexican Chamber of Deputies.

	LV	LVI	LVII	LVIII	LIX	LX	LXI
Executive	98,4	98,8	88,8	87,3	63,3	90,5	78,1
Deputies	22,2	14,5	20,3	22,7	13,4	12,2	5,4

Source: the author (2017)

Note: Manufactured from Nacif (2006b); Legislative Information System.

In the Chamber of Deputies, this index continues to be high throughout the period: with the exception of the 59th Legislature, it is always above 70%, spending most of the period turning around 90%. In the Senate, this is not repeated, the Executive's success rate is relatively lower: after the 58th legislature it is around 70 and 75%, reaching its lowest value in the 61st Legislature (58.3%). This means that the Executive has encountered greater difficulties in approving its bills in the Senate than in the Chamber of Deputies. Despite this, it should be noted that the Senate's success rate is always higher than 50%.

Finally, the low value of this rate reached by the legislators of both houses in relation to their own projects is related to the high number of proposals made by them. Many of these proposals are not put to a vote and may represent more of a 'markup' of the legislator than an attempt to implement a policy project.

4 The themes of legislators' propositions in Mexico

In this part of the work, a presentation will be made of the projects initiated by senators and deputies in Mexico. With this, it is sought to verify if there is any difference in the themes treated in each one of the houses of the Mexican National Congress. To do so, we will analyze the projects initiated from 1997 until 2012, that is, only the full legislatures of the divided governments. 32 subjects were considered, following the classification in the Legislative Information System. It should be noted that in this database, bills can be classified in more than one area when dealing with more than one subject. In addition, all the projects initiated by deputies and senators, that is to say, both approved and rejected, are being processed and so on..

A first point to highlight in Table 13 is the difference in the number of entries in each camera. As might be expected, the Chamber of Deputies number is significantly higher: 21008 versus 8479 in the Senate. It should be remembered that this difference is much more related to the number of members of each chamber (128 for the Senate and 500 for the Chamber of Deputies) than with a greater tendency of deputies in the impetus to start projects. As stated earlier, if we take into account the average number of projects presented by members, the Senate presents a higher average than the House of Representatives. It should also be stressed that this high number of projects is due to the fact that many of them are included in more than one subject.

As can be seen, there is a high fragmentation in the various subjects treated: for both houses the most treated subjects do not reach 12% of the cases. This is a reflection of the high

number of categories (subjects) with which the Legislative Information System works. That said, if we consider that the subjects that occupy more than 5% of the projects are the most treated by the legislators of each chamber, we see that in the Senate the themes in which more projects were initiated were: 1) Constitutional Reforms (946, 11,1 %), 2) Public Security and Justice (839, 9.9%), 3) Social Development (583, 6.9%), 4) Legislative Branch (474, 5.6%), 5) Education and Culture 472, 5.6%) and 6) Economics (436, 5.2%). As for the Chamber of Deputies, the most important subjects were: 1) Public Finance (2474, 11.8%), 2) Constitutional Reforms (2403, 11.4%), 3) Public Security and Justice (1669, 9%), 4) Social Development (1294, 6.2%), 5) Legislative Power (1262, 6.0%), 6) Education and Culture (1192, 5.7%) and 7) 5.2%). As you can see, the issues most treated in both Chambers are almost the same. With the exception of the Public Treasury, which was the most treated by the deputies and represents only 3.9% in the Senate, the other subjects are the same and in the same order in the two legislative houses.

Table 13 – Legislative initiative by subject.

Subject	Senate	Chamber of Deputies.
Field .	175	447
Communication and Transportation.	278	570
Human rights .	373	659
Social development .	587	1294
economy .	436	1097
Education and Culture .	472	1192
Electoral .	282	678
Energy.	142	330
Federalism	197	611
Indigenous people .	83	158
Labor .	324	946
Migration.	80	124
public farm.	329	2474
Population and Religious Affairs .	90	150
Executive power .	352	741
Judicial branch .	203	361
Legislative power .	474	1262
Reform of the State .	55	145
Constitutional reforms .	946	2403
Structural Reforms .	3	5
External Relations .	140	150
Health.	386	964
National security .	104	186
Public Safety and Justice .	839	1669
Financial System .	238	494
Villa .	61	146
Does not apply .	11	3
Environment .	353	697
Legislative procedures .	45	160
Governability .	37	64
Transparency and Presentation of Accounts.	344	745
Civil Protection .	40	83
Total	8479	21008

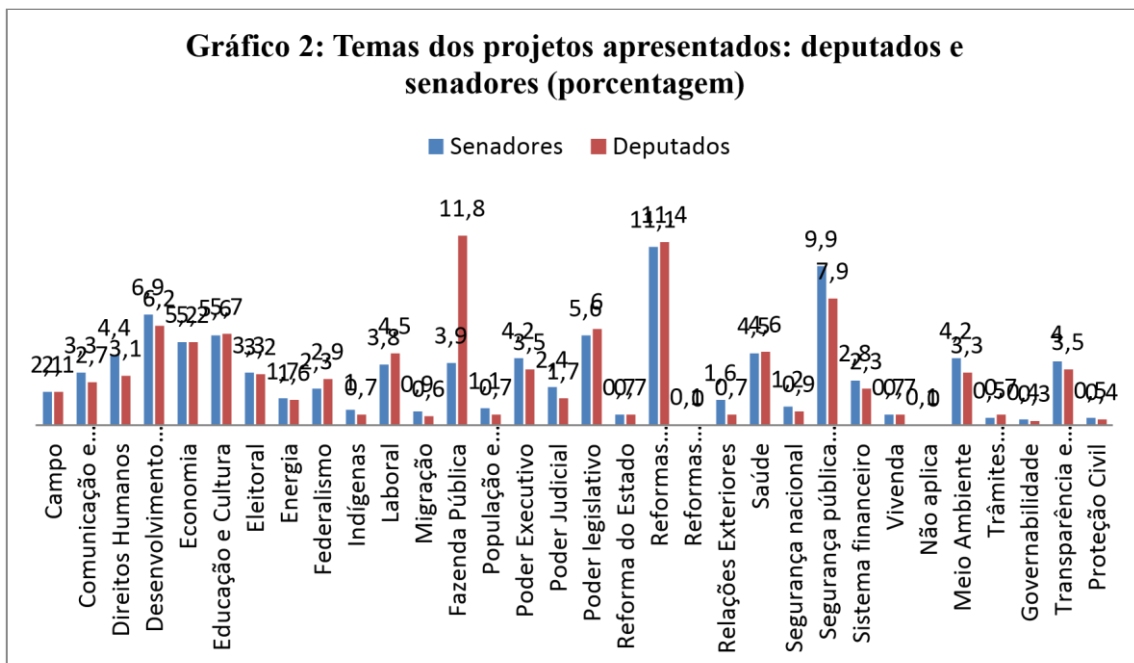
Source: the author (2017)

Note: Manufactured from. <http://sil.gobernacion.gob.mx/portal/Numeralia>.

We also highlight two other points referring to Table 13: the first is the treatment given to federalism. In total, 808 projects were started with this theme, of which 611 were deputies and 197 were senators. Despite the great difference in the number of projects presented on this topic,

75.6% of projects on this topic were initiated by deputies, we have that it represents almost the same relative weight in each house: 2.3% in the Senate and 2, 9% in the Chamber of Deputies. It should be noted that the Mexican Senate, as well as a large part of the Senate of federal countries, has as its declared objective the representation of the federated entities, which could lead one to suppose that the federalism theme would have a privileged treatment in this house. However, this is not the case: in both houses the theme has almost the same relative weight, which is a little higher in the case of the Chamber of Deputies. Another point is the issue of Political Institutions and State Reform. When we look at the themes related to the Executive, Legislative, Judicial and State Reform Powers, we see that together they were themes of proposals in 12.8% of Senate projects and 11.2% in the Chamber of Deputies. Again, there is a great resemblance between the two houses, but this time the Senate seems to give a little more importance to these issues than the House of Representatives.

Figure 2 shows the similarity in most of the themes between the two legislative houses that form the National Congress of Mexico. Among the 32 themes, the ones that show the greatest differences are: (1) Fazenda Pública, which represents 11.8% of the bills of the Chamber of Deputies and only 3.9% of the Senate; (2) Public Security and Justice, with 9.9% of the Senate and 7.9% of the Chamber of Deputies; (3) Human Rights, in which the Senate presents 4.4% of its projects, against 3.1% of the deputies; (4) Foreign Affairs, with 1.6% in the Senate and 0.7% for the lower house; and (5) Environment, with 4.2% in the upper house and 3.3% for the deputies.



Graphic 2: Topics of the projects presented (deputies and senators).

Source: the author (2017))

Note: Prepared from Table 13.

5 Final considerations

When analyzing the party composition of the two legislative chambers of Mexico, we see that the differences between legislative houses are smaller than one could predict from the notion of incongruity. Starting with the total number of parties, it can be noted that in Mexico, this number is at least 4 and a maximum of 8 for the Chamber of Deputies and 2 and 7 for the Senate, but the difference between the chambers is low: from 1994, this difference is generally only one party (reaching zero in 1997 and two in 2000). However, the total number of parties may not be the best way to analyze party composition, since many parties achieve a minimum representation in each chamber. Thus, the effective number of parties can present a more accurate picture of the differences between the chambers. From the effective number of parties, we have that in Mexico this number is around 2 or 3 parties, and it seems to consolidate a parliamentary system with three main parties. This happens in both chambers, which makes the difference between legislative houses little meaningful: since 1994, this difference is always below 1. Finally, when we organize the benches in each of the chambers according to their size, we can see that in Mexico the three main parties - PRI, PAN and PRD - occupy the first positions in both chambers and for most of the period they occupy the same position. We can only observe some differences in 1988, 1991, 2006 and 2009. In sum, from these data we can see that there are some differences between the chambers, however they are smaller than one might expect from the institutional devices that foment incongruence. Even so, it can not be said that the two chambers have the same composition. At the same time, from the data presented, we can see that the differences between the chambers are few.

Regarding the initiative and approval of laws, with the data presented it was possible to notice that there is a profound change after the beginning of the period of divided governments. There is an increase in the participation of the legislature in proposing projects and reducing the Executive's weight. Accompanying this phenomenon, there is a dizzying increase in the number of Senate projects. Added to this, there is an increase in the average number of projects presented by senators, surpassing that of the Chamber of Deputies (reaching 12.10 in the last legislature analyzed). It was also possible to note the increase in the number of laws of Senate initiatives approved by the Senate. However, the success rate is still low due to the large number of proposals.

Thus, from this table, it is possible to affirm that the Senate of Mexico is significant regarding the initiative and approval of bills, not only to delay the processes, nor to be just a "review chamber", that is to say, this upper chamber uses its prerogatives of initiative, being important locus for the beginning of legislative processes.

Finally, when discussing the themes that began in each of the houses, it is also possible to notice that there is a lot of similarity in the choice of topics between Mexican deputies and senators. However, there are some differences: the issue of Public Finance occupies more space

in the Chamber of Deputies than in the Senate; the Senate gives greater emphasis to the issues of Public Security and Human Rights than the Chamber of Deputies and other minor differences, that is, despite the great thematic similarity addressed by the legislative houses of Mexico, one can see some points of difference in this choice thematic.

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