

ABSTRACT

Title of dissertation: **BY INVITATION ONLY:
A LEGISLATIVE THEORY ON PUBLIC LOBBYING
AND THE GATEKEEPERS OF INFLUENCE**

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In democratic politics, the participation of interest groups in policymaking is commonly understood as a secluded affair; an exchange where interest groups actively influence the fine print of statutory laws without being observed by the public at large. Why would interest groups and policymakers make public an otherwise private affair? By focusing on the public participation of interest groups in legislative committees, I argue that legislators use the public participation of interest groups in the legislative process as a means to raise the salience of issues they own. By taking advantage of the sequential organization of the legislature, legislators with gatekeeping authority will open the gates of committees to interest groups when the party benefits from the increased public attention and close them when the party does not. Interest groups, on their part, are granted access to micro-manage policy—to benefit from specific modifications of a law—. Evidence to test my arguments comes from an original dataset of 6,989 instances of interest group participation in committee meetings in the Ecuadorian Congress between 1979 and 2018, as well as

over 30 semi-structured interviews to interest group representatives, legislators, and congressional staff. I find that, not only are legislators inviting interest groups to participate in issues the party owns, but they are doing so at a greater rate when the exposure of the party brand matters the most: before an election.

BY INVITATION ONLY: A LEGISLATIVE THEORY ON PUBLIC
LOBBYING AND THE GATEKEEPERS OF INFLUENCE

by

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Foreword

Coming into my Ph.D. program, my interests have always been close to the influence of the economic elites in politics. Whether it be the participation of elites in democratization processes or the more classical “Structural Dependence of the State on Capital”, the intersection of private interests and politics, especially in Latin America, have driven my curiosity. Yet, as a Latin American, the elites have always been an elusive subject of study. Anecdotally, there are countless stories of the economic elite meddling in politics, of midnight phone calls to this secretary or that president, of legislation tailored to the preferences of the very rich. Empirically, systematically observing the behavior of the economic elite has been, for scholars at large, difficult to achieve.

Around the time I started to shape what would become an early draft of this theory, a bill initiative proposing the creation of a state-run electronic currency was debated in the Ecuadorian *Asamblea Nacional*. For weeks, news outlets covered the committee hearings, as presidents of the Chambers and of major banks (but also union representatives and small-business associations) paraded through the legislature, denouncing and supporting the initiative, exposing their views to both politicians and cameras. They were trying to shape policy. And they were doing it in public. So it was a “happy coincidence” to find such a wealth of data on the elites (i.e. interest groups) in the very place where policy is being made: the Ecuadorian Congress. The Archives at the Ecuadorian Congress had a registry of all committee meetings dating back to 1979. It was an even “happier coincidence”

to observe interest groups trying to shape policy in public. Even though it only showed the tip of the lobbying iceberg, it elucidated various dynamics that changed the usual interaction between politicians and interest groups as we know it. Rather than a quid-pro-quo in the shadows of an office, the exchange was there, in the paper and in cameras, for all to see.

The development of the theoretical framework presented in this dissertation would not have been possible without the invaluable guidance and support of Ernesto Calvo. It was thanks to Ernesto's keen understanding of politics that I was able to put together actors, motivations and structures into one (hopefully) coherent idea. Ernesto was supportive both academically, and at a personal level. He was always pushing me forward, challenging me intellectually, and helping me advance in my career, and for that I will be eternally grateful. I want to extend my heartfelt gratitude to Joel Simmons, who commented and mentored this project from before it was a coherent idea. Likewise, a special thank you to Isabella Alcañiz, who through her feedback taught me the value of the one-page summary, and through her support has helped me beyond the pages of this dissertation. Few people have shown more excitement and encouragement for this project than Kris Miller; there are few things more intellectually stimulating than a conversation with Kris about legislative politics. I want to thank all my friends and fellow grad students who, despite the circumstance (you know, graduate school), were always there to provide a good conversation and a good laugh. Thanks to SoRelle Wyckoff and Evan Jones, who took the time to read and comment earlier versions of this dissertation. A special thank you to Joan Timoneda, whose friendship and support have been unconditional. Last

but not least, without the help and patience of Ann Marie Clark nothing would get done, including this dissertation. I wish her the best in her retirement.

I want to thank the highly professional and dedicated staff at the *Archivo-Biblioteca de la Asamblea Nacional* in Ecuador. They went above and beyond to provide me with all the necessary data that made this dissertation a reality. I would not know the inner workings and nuances of committee debates without the kind invitation of Asambleísta Gabriela Larreátegui. A special thank you to all the staff members at the *Asamblea Nacional* you have answered all my questions, arranged all the interviews, and provided all the access I requested. Thanks to Monica Villagómez, former president of the board of directors of the *Bolsa de Valores de Quito*, who helped me setup many of the elite interviews, and provided an extensive and detailed account of the life of an interest group representative.

At a personal level, I would not have been able to complete my Ph.D. program without the constant and unfaltering support of my parents, Alina and Raúl. Above all, this dissertation, as well as most of my adult life, has been emotionally and spiritually sustained by the encouragement of my wife, Diana, and my sons, Martín and Mateo. Martín and Mateo, you have shown me what true smarts look like. Diana, all I am, I own to you.

to Diana, Martín, and Mateo.

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List of Abbreviations

AAFFE	<i>Asociación de Administradoras de Fondos y Fideicomisos del Ecuador</i>
AEADE	<i>Asociación de Empresas Automotoras del Ecuador</i>
AITE	<i>Asociación de Textiles del Ecuador</i>
ANFAB	<i>Asociación Nacional de Fabricantes de Alimentos y Bebidas, Ecuador</i>
AP	<i>Alianza País</i>
Asobanca	<i>Asociación de Bancos Privados del Ecuador</i>
BVQ	<i>Bolsa de Valores, Quito-Ecuador</i>
CAL	<i>Comisión Administrativa Legislativa - Committee of Legislative Administration</i>
CAPEIPI	<i>Cámara de la Pequeña y Mediana Empresa</i>
CEE	<i>Comité Empresarial Ecuatoriano</i>
CFP	<i>Concertación de Fuerzas Populares</i>
CIP	<i>Cámara de las Industria y la Producción del Ecuador</i>
CPE	<i>Constitución Política del Ecuador</i>
DP-UDC	<i>Democracia Popular</i>
ExpoFlores	<i>Asociación de Productores y Exportadores de Flores del Ecuador</i>
FUT	<i>Frente Unitario de Trabajadores</i>
ID	<i>Izquierda Democrática</i>
LOFL	<i>Ley Orgánica de la Función Judicial</i>
MPD	<i>Movimiento Popular Democrático</i>
MUPP-NP	<i>Movimiento de Unidad Plurinacional Pachakutik</i>
NLP	Natural Language Processing
PSC	<i>Partido Social Cristiano</i>
STM	Structural Topic Models

Chapter 1: Introduction

In democratic politics, the participation of interest groups in policymaking is commonly understood as a secluded affair; an exchange where interest groups actively influence the fine print of statutory laws without being observed by the public at large. Private lobbying is unobserved, removed from the strategic interactions of legislators in committee and plenary floor. Where the public is concerned, lobbying takes place in the shadow of democratic politics.

There are, however, instances of lobbying that make public this otherwise private affair. Legislators oftentimes invite interest groups to participate and publicly express their preferences. Companies, unions, and NGO's are often called to public forums in committee in the European Union; asked to participate in public committee hearings in the United States Congress; and invited by committee chairs in Ecuador to comment on the details of bills under consideration. In this dissertation, I examine the participation of interest groups in legislative committees. I ask, why do legislators invite interest groups to participate in committee? When are legislators more likely to invite interest groups? And what are the determinants for this participation?

The literature on the participation of interest groups in the policy-creation

process has focused on the strategic interaction of interest groups and legislators behind closed doors. Whether understood as an implicit quid-pro-quo exchange, or as a transfer of information, the engagement of interest groups in formal political activities usually ends in the office of the policymaker. Making these interactions public changes the motivations of the actors, the possible gains from the exchange, and the audience of the spectacle. I explore all these aspects of public lobbying and develop a framework to study it.

I analyze how the organizational characteristics of the legislature, by granting gatekeeping authority to committee chairs, determine the participation of interest groups. Once we establish the control chairs have over the “flow of influence”, we can also study how legislators coordinate with their parties to maximize the benefits from the participation of interest groups, and what do interest groups get in return. Concretely, I argue that legislators use the public participation of interest groups in the legislative process as a means to raise the salience of issues they own.

Lobbying, public or otherwise, is ubiquitous. The accounts on the impact outside influence have on the outcome of policy often emphasizes the resources and capacities of interest groups or the role of policymakers vis-à-vis the direct gains from their interaction with interest groups. This study incorporates into the mix the broader party strategies, the organization of the legislature, and the electoral motivations of legislators, to obtain a more nuanced understanding of lobbying and a new dimension of congressional politics. To get a better picture of the role of interest groups within the policy creation process, I look at those instances that transcend the office of the legislator and place those interactions in the crux of legislative and

party politics.

Empirically, the focus of this dissertation is on the rate of interest group participation in committee debates. To support my argument, I collect original data from the Ecuadorian Congress between 1979 and 2018. The central purpose of this research is to explain the participation of interest groups in committee deliberations. Using committee reports provided by the National Archive of the Ecuadorian Congress, I successfully identify 838 unique interest groups, and 6,989 instances of interest group participation in committee meetings.¹ I complement these data with the description of interest group participation from the committee reports, and their demands and interactions with legislators during debates. In addition, I draw upon over 30 semi-structured interviews with a range of actors participating in the policy-creation process in Ecuador. In 2018, I spoke with interest group representatives, legislators (including committee chairs), legislative staff, former secretaries of state, and academics, and was present in committee debates. The discussions and intuitions will draw upon these wide-ranging conversations and experiences, helping fill the details about how standing committees operate, how legislators behave within these committees, and the motivation for interest groups to both participate in committees and approach policymakers informally.

Research on issue ownership in the U.S. and Europe uses detailed surveys that

¹I first mined legislative documents from the National Archive of the Ecuadorian Congress from 1979 to 2018, gathering bills and committee reports and meta-data at the bill, committee, and party level. These include the party of bill sponsor and committee chair, ideological position of bill sponsor and committee chair, the party of the president of Congress, activity within the committee, and attention given to issues by the party and legislative period. Next, using Natural Language Processing (NLP) on committee reports, I identified all interest groups that participated in committee meetings.

ask respondents which party is most competent at dealing with each of a series of issues (Green 2011; Sides 2006; Wagner and Meyer, 2014). Such surveys are not publicly available for Ecuador. I use an alternative approach to estimate issue ownership: structural topic modeling (STM). From the literature, we know that political parties strategically focus on the issues they own (Petrocik, 1996; Sides, 2006; Green and Hobolt, 2008; Busemeyer et al., 2013; Guinaudeau and Persico, 2013; Wagner and Meyer, 2014). Budge and Farlie (1983), Guinaudeau and Persico (2013), and Walgrave and De Swert (2004) argue that parties devote most attention to issues they have ownership over and are perceived as such by the voters at large. Thus, as a proxy to issue ownership, I estimate the attention each party gives to a topic by looking at the topic of the bill initiatives that each member introduces to Congress. In the Ecuadorian Congress, most bills die before reaching committee, so we are unable to know what topic most bill address. Further, the allocation of bills to committees has a strong political component, one that biases the type of bills that reach that stage. Therefore, by looking at all bill initiatives and estimating the prevalence of topics for each bill, we can rank the attention of parties and obtain a measure of issue ownership.²

1.1 A Theory of Invited Policy Influence

Most accounts of lobbying place the policymaker between the interest group and the policy-creation process. When an interest group gains access to a legislator,

²The limitations of this measure, as well as the limitations of alternative measures, are described in Chapter 5.

the audience is the legislator. The strategic interaction between both parts is one step removed from the intricacies of legislative politics, the preferences of fellow legislators, *and* the judgment of voters. Be this a quid pro quo exchange (Austen-Smith, 1996), the transmission of information (Grossman and Helpman, 2001), or the support of natural policy allies (Hall and Deardorff, 2006), nothing in the process needs to be public.

Making lobbying public changes the motivations and strategic decisions of legislators. It also raises some fundamental questions: Why would policymakers want to openly invite interest groups to participate in the policy creation process? Why would interest groups accept? How does this change the strategic considerations of legislators? In this thesis, I show that politicians gain benefits from inviting groups to participate in debates aligning with the issues the party owns, while interest groups benefit from managing the fine print of legislation.

Public lobbying differs markedly from private lobbying. In the former, the incentives of legislators are more closely linked to the electoral benefits of raising the salience of an issue than to the resources (i.e. information and/or monetary) the legislator might obtain. Because of this, the strategic considerations of legislators are marked by party preferences and the organizational characteristics of the legislature. On the other hand, in private lobbying, interest groups that approach legislators can exchange campaign contributions for policy. In Brazil, for example, it comes in the form of government contracts (Samuels, 2002); in the U.S., in the form of access Congressional officials (Kalla and Broockman, 2014); and in Italy, in the form of long-term public contracts (Golden, 2003). Groups can also reveal information

strategically to legislators in an attempt to move (or consolidate) the status quo, plan legislative strategies, assist legislators in drafting new bills, broker logrolling deals, and so on (Grossman and Helpman, 2001). Whatever interest groups buy with their “hard” or “soft” money, through legal or illegal means, has no outside audience. Making these efforts public changes the incentives legislators have, and the rewards interest groups reap.

In this dissertation, I argue that legislators use the public participation of interest groups in the legislative process as a means to raise issue salience. At the heart of this strategy is the maximization of electoral benefits for the party: parties gain when “owned” issues gain salience, and they can achieve this by inviting interest groups to participate when “owned” issues are debated. Committee debates are a formal and public venue where interest group participation takes place. When interest groups participate in committee debates or meetings they attract attention to the issue at hand, both from the constituents interest groups directly represent, and from the larger population affected by the topic addressed. Thus, the audience of these public performances is, primarily, voters. The ultimate strategy of legislators when engaging in public lobbying is to extol the reputation of the party in the eyes of their constituency. This, in part, challenges the conventional understanding of politician and lobbyist interaction, where there is no external audience—when lobbying takes place in private, e.g. Grossman and Helpman, (2001)—or when the public pressure is a sole decision of the interest group—an outside strategy, e.g. Kollman (1998)–.

Legislative committees are also a strategic stage in the organization of the

legislature. Committee chairs are often endowed with gatekeeping prerogatives, controlling the flow of legislation and setting the (committee) agenda. Chairs are in charge of inviting interest groups to participate in committee debates as well. They control the flow of influence. Thus, parties will strategically negotiate the allocation of committee chairs, and chairs will, in turn, use their gatekeeping powers to benefit the party. The literature has shown how gatekeepers are a fundamental actor in the mechanisms determining legislative success—avoiding the advance of legislation that will divide the party in the plenary floor (Cox and McCubbins, 2005)—, as well as in taking advantage of the minority and majority status of the party (Calvo, 2014). I show how, and why, chairs use their gatekeeping powers to control interest group participation as a party strategy that maximizes the benefits of owning an issue.

1.1.1 Issue ownership and interest group participation

Issue ownership is a reputation for handling an issue well (Budge and Farlie, 1983; Green, 2011; Green-Pedersen, 2007; Petrocik, 1996; Sides, 2006; Vavreck, 2009). Parties hold an advantage on certain issues as the public believes that they are better suited to deal with said issues; parties gain electorally by talking about owned issues and when the issue they own raises in salience. In issue ownership terms, parties and their members prime owned issues, using all available venues to do so, from press releases (Grimmer, 2009) to the plenary floor (Pardos-Prado and Sagarzazu, 2014); from the campaign trail (Iyengar, 1991; Iyengar and Kinder, 1987; Sides, 2006) to the legislature (Cox and McCubbins, 2005). I argue that making an

otherwise private affair public, such as lobbying, is aimed towards that goal, too. Committee meetings, much like plenary debates, are more about politics than policy. Politicians “speak past one another” (Ceaser and Busch, 2001), in an effort to gain notoriety rather than to establish exchanges on a policy. The performative nature of committee extends to the participation of interest groups who often bring media and raise the attention of the policy being debated. But a party only benefits from rising salience if it owns the issue. Thus, committee chairs, exercising their gatekeeping prerogatives, will invite interest groups to participate when the bill addresses an issue the party owns.

Issue ownership is not always clear-cut. It is generally accepted by the literature that some issues—e.g. economic and fiscal issues—are rarely owned by one single party and are often a point of contention among parties (Belanger, 2003; Brasher, 2009; Petrocik, 1996; Pope and Woon, 2009). In these cases, there is issue trespassing, and parties are constantly looking to frame their position in a way that they can claim ownership over these issues. To this end, committee chairs will also invite more interest groups to participate in committee debates when they want to raise the salience of those issues. When in contention with another party over unowned issues, the capacity to frame and control the discourse gives the party the upper hand over the competition.

1.1.2 Motive to participate: Fine print of policy

Interest groups do not engage in this behavior selflessly. Interest groups gain from this public participation: they are, among other things, granted access to micro-manage policy—benefit from specific modifications of a law—. Interest groups are interested in the marginal gains they can get from specific modifications of a policy as much as in pursuing sweeping changes to the legislation. Given the negative agenda-setting power of majority parties and coalitions (Cox and McCubbins, 1993)—their capacity to stop legislation from reaching the floor—, and the pervasiveness with which parties exercise this power, interest group are usually better off pushing for specific modification of a law that has already started its journey, than from proposing an initiative from scratch. At the committee level, the details of the legislation are modified and adjusted, and gaining access to this process gives interest group an opportunity to benefit from changes to the policy, often technical aspects, that are plausible to achieve and generate benefits to the group.

1.1.3 Motive to participate: Diminish Bureaucratic Discretion

During interviews, interest group representative insisted on the importance of participating in committee as an accountability mechanism. The former president of the *Bolsa de Valores de Quito*³ argued that “[she] went to committees to be sure that what was discussed in private was honored during the committee meetings.” The participation of interest groups in committees, often coordinated with media

³Quito Stock Exchange

presence, was seen as a way to raise the cost of legislators renegeing of their private promises. More generally, in contexts where lobbying is not regulated and most interactions between policymakers and interest groups take place in informal venues, participation in committees can serve as a formalization of agreements reached informally.

1.1.4 Motive to participate: Organizational Benefits

Interest groups also gain institutionally, as access to the legislative process is a tangible representation of the services they offer fee-paying members. This is particularly important when obtaining policy benefits is a long and many times unrewarding process. The outcome of bill initiatives can be unpredictable and the benefits to the firms being represented by interest groups might not be seen for a long time. Thus, every opportunity that, as an organization, interest groups can showcase their presence in the policy-creation process it helps maintain membership (and the resources from that membership), and attract new members.

1.2 An Alternative Information Model

The framework advanced in this dissertation is an alternative “information” model of legislative activity and lobbying that departs from other models that emphasize the role of the party (Cox and McCubbins, 1993) or information (Krehbiel, 1991). In this framework, legislators answer and benefit from the strengths of the party and the organization of Congress precisely by disseminating information (i.e.

raising the salience of an issue). The influence of interest groups in the policy creation process takes a different path, one that relies heavily on the goals of the party and the capacity the party has to achieve these goals through their control of strategic positions in the legislature. This is not to say that there is a not a disproportionate power of certain groups over the fate of policy (e.g. the “strong upper-class ascent” of Schattschneiders (1960) heavenly chorus), or that interest groups solely work as amplifiers and not as bearers of information. Rather, it provides an account of a rarely studied, yet common enough form of lobbying, that complements the private, many times unobserved, means.

1.2.1 Alternative Hypothesis: Congruence Between Group and Legislator

Do you need to agree with the groups that you invite? In this dissertation, issue ownership and salience, rather than congruence, is what matters. Consider, for example, a Democrat in the U.S. Senate that invites the CEO of Facebook to discuss possible foreign interference in the 2016 election.⁴ Democratic senators did not invite Mark Zuckerberg because they agreed with him, but rather to raise the salience of an issue by publicly scolding him. Inviting someone to have a public interaction sometimes means confronting them. In other words, legislators can still raise the salience of an issue by inviting groups that they do not agree with. Even though this might not be often the case, the theory advanced in this thesis does not

⁴“Mark Zuckerberg Testimony: Senators Question Facebooks Commitment to Privacy”, New York Times, April 10, 2018. Access: June 26, 2019. URL: <https://www.nytimes.com/2018/04/10/us/politics/mark-zuckerberg-testimony.html>

hinge on the ideological congruence between the policymakers and interest groups. Rather, it stresses the importance of raising issues salience and is agnostic about the means to achieve this.

1.2.2 Alternative Hypothesis: Weak Party Brand

The gatekeeping model presupposes that chairs, or any other actor with gatekeeping authority, has a fiduciary responsibility to protect the party brand. At its core, the gatekeeping model is party-based. Under a party system with weak party brands (and weak parties more generally) protecting the party brand is not a priority for politicians. Thus, under these conditions, invitations to participate might not be based on a broader party strategy but rather on the personal gains the politician can obtain from interest groups.

Under weak party brands, legislators could be inviting interest groups to get some outside benefit. Interest groups, keen in gaining access, might offer compensation for that access in the form of a job (e.g. revolving door). If this was the case, just like our theory predicts, we would expect to see more invitations to issues owned by the party before elections. After all, people leaving want to show their capacity to their future employer, and they can better achieve that by inviting interest groups to issues they own.

To discard this possibility, I look at legislator up for reelection and compare their behavior with those about to leave. Empirical evidence suggests that legislators up for reelection are more likely to invite interest groups to participate before an

election in issues the party owns than legislators that are not. Furthermore, there is additional empirical evidence of broader party coordination among different levels of hierarchy. For example, when committee chairs share party with the president of Congress, the strategy of inviting interest groups to debates of issues the party owns is amplified.

1.3 Results and key findings

Using the above-described dataset, I show three substantive determinants of interest group invitations to committee debates. First, I find that, indeed, committee chairs are more likely to invite interest groups to committee debates when a bill is addressing an issue their party owns. Relying on the ideological position of the sponsor of the bill, I provide further evidence of the strategic considerations committee chairs use to invite groups, favoring those bills that are closer to their own ideological position. The most compelling evidence for the theory is presented in Figure 5.8, showing how, as elections approach, committee chairs are more generous with their invitations. For, it is during elections that the issue salience of owned issues matters the most to politicians (Petrocik, 1996). Third, I show that as the economic clout of groups increase, so does their participation in committees. Economic clout has been connected to media salience (Calvo and Ponce, 2013), and if the ultimate goal of chairs is to increase the salience of issues owned, it is not surprising that chairs would be more willing to invite them. These findings all speak to the same strategic considerations of committee chairs when it comes to inviting

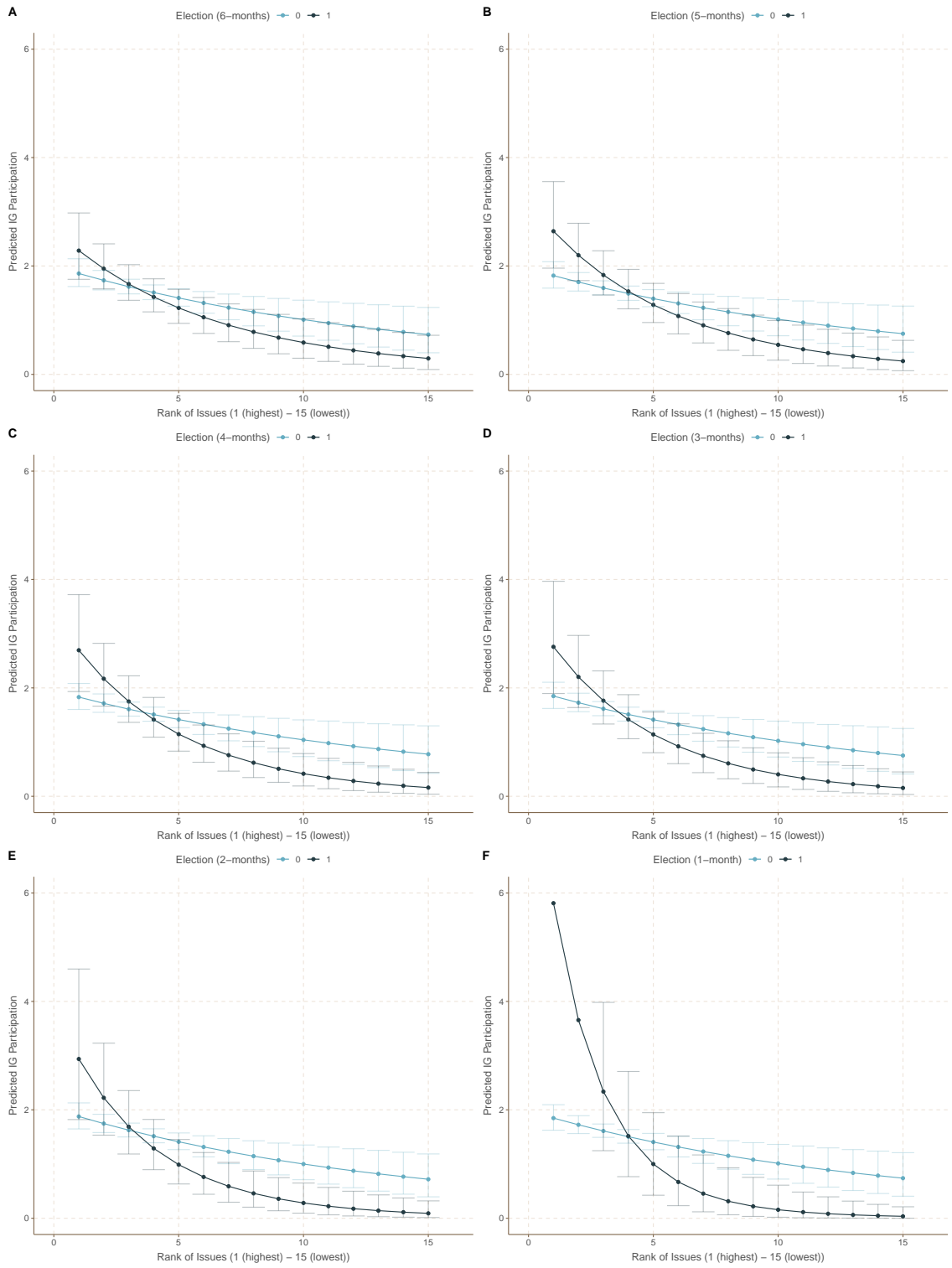


Figure 1.1: Predicted count of interest group participation across different levels of issue salience, conditional on elections.

interest groups to committee debates: a) the role of issue ownership, b) the importance of raising the salience of owned issues in key moments, and c) the relevance of the impact interest groups have in raising salience in the chair’s decision to extend invitations. These results also have not been previously noted or discussed in the interest group literature. In the case of Latin America, these findings are the first to address interest group behavior at the legislative level, and one of the first to empirically study interest group participation.

1.3.1 From Political Dialogue to Party Dialogue

The literature suggests that politicians avoid political dialogue, choosing to “speak past one another” (Ceaser and Busch, 2001). In this dissertation, I find that parties legislate past one other, rather than with each other. There are strategic benefits to focusing on legislation on topics owned by the party. Among the ones explored in this dissertation, it allows for parties to control the flow of influence, while also gain from the participation of interest groups in committee debates (through the raising of issue salience). From the Ecuadorian case, we see that parties mostly introduce legislation in issues that they own, and are fairly consistent across time.⁵ This is not to say that most are single-issue parties, even though there are parties that concentrate on fewer topics than others. Rather, that parties will legislate across all issue but, when doing so, are looking inwards, to their own comparative advantage, rather than outwards, to what other parties are doing.

⁵Issue ownership can change across time.

1.3.2 A Gatekeeping Model of Influence

In the gatekeeping model of legislative politics, chairs prevent issues that can divide the party from reaching committees and, subsequently, the floor. Chairs are strategic actors that control the flow of legislation. I extend this logic to the flow of influence. Chairs are not only strategically with legislation, but also with who is allowed to publicly participate in its journey from bill to law. In this dissertation, chairs are strategically preventing participation by limiting invitations strategically. Just like with the advancement of legislation, chairs will open the gates when issues owned by the party being discussed, and close them otherwise.

1.4 The Committee System in Ecuador

As already indicated in the previous section, the organizational structure of the legislature is a central element in our framework of interest group participation. As is the case in many legislatures in Latin America (Saiegh, 2005, 2010; Calvo, 2014), the sequential organization of the Ecuadorian Congress decentralizes power to committee chairs⁶ and grants them agenda-setting prerogatives. The specific rules that govern committee chairs and the legislative procedures have changed, sometimes drastically, over the years, but the basic organization has remained. Committee chairs have ample gatekeeping authority; they can *cajonear* bills—put bills “in the drawer” and postpone discussion—, determine the order of the day, limit the time

⁶Party leaders in Ecuador have different mechanisms to whip legislators and maintain loyalty. For starters, these posts are usually assigned to party leaders or to members with longer tenures that have already proved their loyalty.

spent on a bill, determine in what order can legislators intervene during debates, and decide *what interest group is invited to the committee*.

The party system in Ecuador is highly fragmented. Since 1979, in every cohort, there have been at least 10 parties or movements with legislative representation. Only between 2013 and 2017 has one party held a majority of congressional seats. This fragmentation has shaped the behavior of parties and legislators in Congress: few stable coalitions, high turnover, and limited governability. The ethnic and regional cleavages in Ecuador have also permeated to Congress, where despite the national presence of parties, their regional nature often led to divided legislatures (Mejía Acosta and Polga-Hecimovich, 2011). The regional focus was accentuated by the ethnic cleavages that became politically relevant in the early 1990s (Van Cott, 2007).

Despite the party system and the various institutional reforms, the approval of bills has remained fairly constant across time. Bill initiatives are introduced by a lead sponsor, who can be a member of Congress, a member of the executive, a member of the national judiciary, or, under special conditions, a citizen group. The CAL, the *Comisión Administrativa Legislativa*, receives the bills and evaluate the merits of the bill on technical grounds. The CAL will decide whether the bill advances and to which committee it should go. Notice that, despite the technical nature of the CAL, the decision is ultimately political. The chair of the CAL is also the president of Congress and has the power to delay the advancement of bills (probably the most-used prerogative), choose the committee they advance to, and override any technical considerations that would support the advancement of a bill

initiative. Indeed, the first gatekeeper is the president of the legislature. Once a bill reaches a committee, the committee has 45 days to review the bill and to elaborate a report for its first debate on the plenary floor. From the plenary floor, a bill will return to committee for a second time, and from the committee, it will be discharged again to the floor for a final vote. All the time restrictions can be easily side-stepped by committee chairs. Since there is a limited amount of time in a legislative period, chairs (including the chair of the CAL) can always postpone the discussion of a bill, enough to effectively kill it.

Committees do not vote formally on a bill but instead report to the floor for the first debate. These reports are based on the committee debates and include the participation of interest groups. In Ecuador, any legislator can invite an interest group to participate in committee debates. Constitutionally, every citizen has the right to participate in committee debates, and each committee must hold *socialización* forums where bill initiatives are discussed with interested parties. It is within the prerogatives of the committee chair to decide where the forums will be held, and who will be invited. Furthermore, even when interest groups have requested to participate in a committee meeting or legislators have requested for a group to be invited, by changing the order of the day, committee chairs can postpone participation until time runs out. Ultimately, the only valid invitation is the one the committee chair accepts.

Once inside the committee, the debates resemble a spectacle. According to congressional staff, media presence is constant, even though the number of outlets present would vary from topic to topic. As a pressuring strategy, interest group

will also bring media to committee meetings, feeding into the performative nature of the debates. When legislators intervene, their remarks resemble the speeches in the plenary floor: expository rather than interactive. Legislators will usually use this opportunity to address the cameras, using their floor time as a platform to gain attention. Indeed, one common complaint from interest group representatives was the lack of attention the legislators gave the information delivered by guests. Even these spaces are controlled by committee chairs. While there is a schedule published prior to the meetings, chairs can, and will, change the order of the day. Chairs have the discretionary power to stop short or extend the time a discussion lasts (within a reasonable time frame), as well as the capacity to have invited guests not to participate.

When interest groups are invited to committees, they are particularly cognizant of the importance of addressing the “fine print” of policy, as well as the broader picture. Even though the policy engagement between interest group representatives and legislators is limited, it is important for interest groups to have their position or policy demands on record.⁷ When the committee is elaborating the final report before discharging a bill to the floor, they will review the changes suggested by interest groups. Even though interest groups usually take general positions on policy, they are not disingenuous about their capacity to influence policy. Thus, they will cater to specific elements affecting their group and while as a class or a sector they might have shared preferences, obtaining benefits for their own indus-

⁷Not all interest groups are there to demand policy changes. There are groups that participate in a show of support for a bill. This type of participation is part of the mechanisms used to raise issue salience. There might even be some degree of coordination between the party base and different groups, even though this cannot be differentiated in the data.

try is a priority. The level of specificity sometimes comes down to elements within an article in the law. For example, in a bill sent by the executive to expand tax collection and economic incentives, Chamber representatives would argue to change the month public institutions will pay government contracts, or would request the expansion of tax exemptions of one local industry to another.

Ultimately, the committee system in Ecuador grants enough gatekeeping authority to committee chairs for them to control the flow of legislation and the flow of influence. Despite the many legal and institutional changes since 1979, the Ecuadorian Congress has maintained a sequential organization that endows committee chairs with power to be pivotal actors, not only to the ultimate approval of policies, but also on how legislation changes along the way, and who is invited to provide their input. Even though committee meetings are performative in nature, the politics of these performances are important, for members of Congress can benefit from the increased salience. The rise in importance of a topic can lead to increased exposure and the electoral gains of owning a salient issue. The latter, particularly important to determine when will gatekeepers open the doors of committees to interest groups.

1.5 Interest Group Participation in the Ecuadorian Congress

Since before the return to democracy in 1979, interest groups in Ecuador have been linked to political parties and to policy outcomes. The Chambers of Agriculture, Industry, and Commerce, for example, mounted in 1975 a media campaign against the regime of then-dictator, General Rodríguez Lara, not only accusing it

from a lack of favorable policies but also criticizing the exclusion of interested parties, like the Chambers, from the decision-making process. Another commerce chamber, the *Cámara de la Producción de Guayaquil*, backed León Febres Cordero for president in 1984, to then have its president tapped as Minister of Industry. Indeed, the presence of interest groups representatives in executive posts has been ample and notorious, as has been their role in some of the most influential legislation approved. In 1998, it was thanks to the pressure and the political involvement of the Chamber of Commerce that the Ecuadorian economy was eventually dollarized (Acosta Mejía, 2009). The participation of interest groups in the political life of Ecuador has been extended to the legislature. Figure 1.2 shows the yearly number of interest groups participating in committee debates.

Interest groups work on two levels with legislators: informal and formal. As explained by interest group representative from Ecuador, the first approach to legislators is in an informal setting.⁸ Interest groups representatives tap into previously created networks or try to establish new networks with policymakers through private, unreported meetings. Legislators, as well as interest groups representatives, stressed the difficulties that come from not having rules regulating lobbying. There is not a clear understanding of what type of interactions would be understood as lobbying, and which would cross the line, yet both parts agreed that the only real

⁸While interest groups in Ecuador are not lobbying firm, part of the service they provide is pressuring for policies that advance the preferences of their members. A paid membership is the norm for interest groups in Ecuador. Interest groups have the common collective action problems of free-riding, so they try to raise the cost of not participating. The president of Asobanca (Bank Association) said they were constantly looking for ways to keep members engaged and coordinated, not only by offering services but also showing results in policy outcomes. He said this is hard even in small groups, like the financial sector, with ample resources.

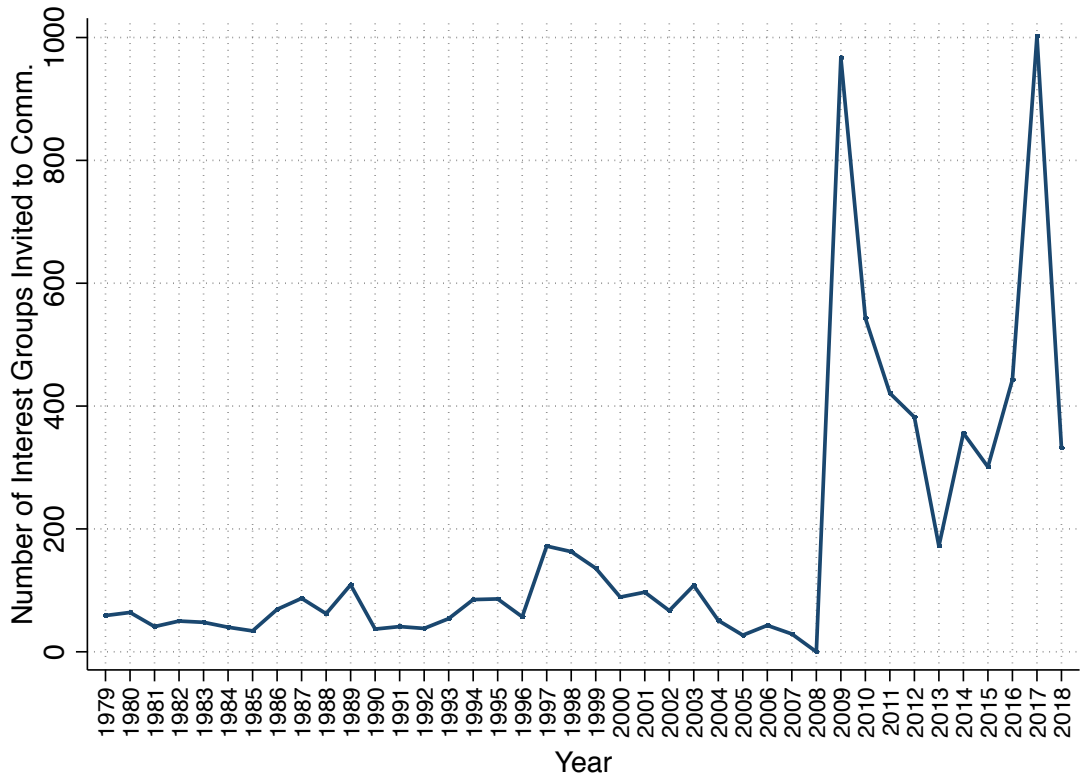


Figure 1.2: Interest Group Participation in Committees, 1979-2018. Total participation of interest groups in committee meetings, from 1979 to 2018. The bump on interest group presence after 2008 is due to a legislative reform that made the rules of participation and reporting clearer.

problem came when the exchanges devolved into unlawful management of public resources. Despite these drawbacks, the meetings are the first step into influencing policy. As suggested by the executive president of the main association for producers of food and beverages in Ecuador, “we move simultaneously in a formal and informal setting [...]. Informal meetings get you access and a ballpark agreement, formal [venues] allow us to validate what we propose.”⁹

Indeed, once they have gained access to a legislator, interest groups representatives expressed the importance of legitimizing their agreements and holding legislators accountable to these agreements, through their participation in committee debates. While most interviewees agreed that debates in committees were politicized spaces, rather than spaces to reveal technical information, they also perceived committees as a mechanism to have private agreements honored. Thus, a common strategy was to coordinate their participation with media campaigns, a strategy that feeds into the two-way logic of issue salience: a mechanism for legislators to gain from issues they own, and a pressuring tool in the eyes of interest groups to get legislators to act on specific topics. As member-funded institutions, the presence of interest groups in the policy-creation space is a tangible representation of access, something interest groups offer to their (fee-paying) members. It also reveals their technical capacity and policy position to *all* committee members and creates possible links for the future.

Other interest group representatives described the role vis-à-vis policymakers as that of “free advisors”. Interest groups, especially those whose comparative ad-

⁹Interview with Christian Walhi, Executive President of ANFAB. October 15, 2018.

vantage was not in their numbers (e.g. such as labor unions) but resources (e.g. such as Chambers), were able to provide technical information that was often unobtainable to legislators and their small supporting teams. The technical information was often aimed to clarifying the context of those affected by the law, the possible effects of the law, and how the law should be modified to improve that context. This was also another mechanism to establish connections with legislators and build a good rapport among legislative staff. Gaining access, after all, was a continuous process.

There were various motivations for interest groups to attend committees. Even though there is not one necessary condition for interest groups participation, they do illustrate the importance of an invitation to committees. We know that invitations are a strategic decision made by committee chairs looking to raise the salience of issues the party owns. A descriptive view of interest group participation suggests that this participation is, mostly, a political decision. For example, the most numerous type of interest groups invited to committees is from the academic space. Often, committees will invite university professors to clarify or expand on the possible legal effects of reform. Less frequent, but not uncommon, is for specialized research centers to argue, on technical ground, the impact a reform can have on the economy, on collective rights, or on the market. Yet, even these types of participation have a political element. There are universities that, historically, have been closer to economic groups and others that have been closer to labor. Public universities, where labor groups and student unions are in constant dialogue, more often coincide with worker unions than with capital groups. The opposite is also

true, private universities, founded by and for the economic elite, participate more often with Chambers than with unions.

1.6 From the Ecuadorian Case to the Rest of the World

To understand the determinants of interest groups participation in legislative committees, I study in detail close to forty years of public lobbying and congressional politics in Ecuador. I inform the theoretical process, as well as the empirical results, with interviews with interest group representatives, legislators, and legislative staff. Results from this research, however, inform broadly on the politics of interest group, public lobbying, and legislative politics in other countries of the world.

The standard models of interest politics developed with private lobbying in mind put the policymaker between the interest group and the policy-creation process. Legislators are intermediaries of the interests of organized sectors and policy outcomes. Yet, the dynamics of public lobbying change the consequences of the interaction, the audience, and the outcomes. And instances of what can be understood as public lobbying are not uncommon: interest group participation in parliamentary committees in the United Kingdom, Denmark and the Netherlands (Pedersen et al., 2015), interest group access to committee in the European Commission, the European Parliament and the Council of Ministers (Bouwen, 2004), interest group participation in committees in the U.S. Congress (Hojnacki and Kimball, 1999), or interest group participation in public hearing of the German parliamentary committees (Eising and Spohr, 2017), as well as *audiencias públicas* in Chile (de la Maza,

2011) and *socialización* forums in Ecuador, among others.

However, little research has been conducted to understand how do legislators and interest groups interact in these settings, and how do parties strategically behave. Furthermore, most countries in Latin America do not have laws regulating lobbying or records that systematically report the interaction between lobbyist and legislators.¹⁰ We do not know much about the participation of interest groups in the policy-creation process, despite its obvious importance (Ames et al., 2012). The role of business interests has been downplayed, often linked to, and dependent on, the state (Schneider, 2004), and much of these gaps have been due to a lack of data. While this dissertation only addresses one aspect of interest group participation, revealing at most the tip of the lobbying iceberg, it is the first step into a more nuanced understanding of the role of private interest in public policy.

Through the Ecuadorian case, I provide an alternative model of legislative behavior where interest groups are part of the congressional game. As I show, the sequential organization of the Ecuadorian Congress endows chairs with gatekeeping authority, and chairs will use this authority to selective invite interest groups to participate of committee debates, effectively granting them access to the policy creation process. Chairs will open the gates when issues they own are being discussed, and close them otherwise. Many of the contextual conditions required for the model are common to other countries. The division into committees and the power endowed to the chair are similar across Latin America (Saeigh, 2005; Calvo, 2014),

¹⁰México, Perú and Chile are the only countries in Latin America where lobbying is explicitly regulated. The first country to regulate lobbying activity was Perú in 2003, although the actual law has come in conflict with the barriers imposed by the Peruvian legislation. Mexico approved regulations for lobbying activity in 2010, while Chile did so in 2014.

the United States (Hojnacki and Kimball, 1999), and Europe (Bouwen, 2004). The sequential organization of the legislatures, and the capacity to control the flow of legislation *and* participation is not endemic to Ecuador, and has been studied in similar contexts—e.g. the U.S. Congress (Balla and Wright, 2001; Sterling, 2009)—.

Note that one fundamental aspect is the ability of the chair to *invite* interest groups, thus effectively giving the control of external influence to the chair. In our model of interest group participation, it is the legislator with gatekeeping authority who ultimately decides what group will be allowed to participate in the policy creation process. With this in mind, my research adds to previous theories on legislative politics by introducing a new dimension to the incentives parties have when dealing with legislation (Cox and McCubbins, 2005; Carey, 2007; Calvo and Sagarzazu, 2011). In this alternative model, parties rely on the dissemination to information (i.e. interest group participation) to advance the goals of the party. The audience, rather than other legislators, are the voters, and linking the role of interest groups to issue salience as a means to gain electorally, is an argument that, without the connection being explicitly made, has already been hinted at in other studies (Cullpepper, 2009; Calvo and Ponce, 2013).

Raising the salience of issues has been often studied as an interest group’s “outside strategy” (Schattschneider, 1960; Lipsky, 1968; Etzioni, 1970; Schlozman and Tierney, 1986; Walker, 1991; Heinz et al., 1993; Kollman, 1998). Groups lacking a formal role in the policy-creation process seek to mobilize public support and generate favorable media attention to issues in order to exert pressure on policymakers. Public lobbying gives control to the policymaker of the issues that gain attention.

It addresses the two-way nature of issue salience: its ability to pressure policymakers and the capacity of policymakers to obtain electoral gains from the increased attention. While I show how parties in the Ecuadorian Congress take advantage of the increased salience that comes from interest group participation, there are ample examples in the literature that have shown how parties, in other contexts, coordinate campaigns (Petrocik, 1996; Sides, 2006) and policy attention (Busemeyer et al., 2013; Guinaudeau and Persico, 2013) around issue ownership and issue salience.

Finally, the party and Congressional politics in Ecuador have unique characteristics that are likely to affect the way legislators and interest groups interact. First, as previously shown, the party system in Ecuador is highly fragmented. Even once-strong parties can be short-lived, and this inability to commit in the long term affects the importance of loyalty from party members, the party brand, and the cost for an interest group to create networks with policymakers. Even though the high turnover rate of legislators in Ecuador is fairly common across Latin America (Samuels, 2002), the opposite is true for more developed democracies (e.g. United States, Europe). The same theoretical framework used here might yield different results in other institutional contexts. Second, gatekeeping powers endowed to chairs are extensive in Ecuador. A similar organization can be found in Argentina (Calvo, 2014), and, to a lower degree, the United States (Cox and McCubbins, 2005) and the European Union (Whitaker, 2005). But different organizational arrangements will change how parties take advantage of public lobbying or how the different organizational arrangements affect the prevalence of public lobbying in the first place. After all, the organization of legislatures is created by parties, to the benefit of parties

(Cox and McCubbins, 1993), and this endogeneity will have an effect of what type of interactions are carried out within each legislature.

1.7 Organization of this Dissertation

This dissertation unfolds as follows. In Chapter 2, I outline the framework of interest group participation in legislative committees. I describe the organizational characteristics of legislatures that endow gatekeeping power to committee chairs and how chairs use this power in order to selectively invite interest groups to committee debates. Next, in Chapter 3, I describe parties and the committee system in the Ecuadorian Congress, paying particular attention to the way parties allocate members to different positions of power. I also look at the life of a bill in the legislature, and how interest groups intervene in this process. Chapter 4 hones in interest group in Ecuador. Based on interviews, I address the motivation interest groups have to participate in committee debates, and their interaction with legislators and policy. In Chapter 5, I present empirical analyses testing a set of hypotheses derived from the main theory and estimate the determinants of interest group participation in committees. Chapter 6 summarizes the main findings of the dissertation and advances two extensions for the work. The first proposes a network model to study the type of interest groups that are invited, by whom, and when. The second looks at the possible effect interest group participation has on legislative success.

Chapter 2: Gatekeepers of Influence

Lobbying is commonly understood as a private affair. It is confined to a legislative office, where interest groups make (implicit) offers that relate prospective contributions (of information or votes) to the policy chosen by the incumbent policymaker (Grossman and Helpman, 2002). In this view, interest groups are one step removed from the policy creation process, and politicians act as intermediaries of their preferences. The conventional lore on lobbying involves secrecy, backroom deals, and unaccountable influence. Interest groups can secure private assurances of support from politicians that, though private, should be sufficiently credible to be enforceable. After all, interest groups can threaten to rally their members and bring other resources to bear against politicians that renege on their end of the deal. Indeed, nothing in this process needs to be public. In spite of the strong logic in support of a private interaction, interest groups jockey to publicly participate in legislative committees and politicians show no signs of discouraging this behavior. What happens when interest groups step into the spotlight and lobbying becomes a public affair? Why would policymakers want to openly invite interest groups to participate in the policy creation process? Why would interest groups accept?

I propose a theoretical framework where legislators use the public participa-

tion of interest groups in the legislative process to raise issue salience, as interest groups gain the possibility to manage the “fine print” of policy. In politics, participation in policymaking is not a free-for-all. Participation is by invitation only, a prerogative exercised by legislators with gatekeeping authority, usually committee chairs in the sequential organization of most congresses (Cox and McCubbins, 2005).¹ As gatekeepers, legislators are deliberate and strategic about whom they invite to participate. We see this power exerted in the decision about whom to invite to participate in the legislative process. This power is also revealed in terms of which issues policymakers choose to advance/promote and which ones they leave off the agenda. Since policymakers emphasize issues on which they are advantaged (Petrocik, 1996)—prioritizing legislation on topics they are better regarded by voters—, gatekeepers will open the gates of committees to bills addressing issues they own, and they will do the opposite to bills addressing issues they do not own. When interest groups participate in committee debates they attract attention to the issues at hand, not only from the constituents they directly represent but also from the population affected by the topics they focus on, potentially raising the salience of the debated issue.

Interest groups do not engage in this behavior selflessly. Interest groups gain from this public participation: they are, among other things, granted access to

¹This understanding of the interaction of interest groups and legislators is similar to the role of “access” in lobbying (Bouwen, 2004; Halpin and Fraussen, 2017). Interest groups invest in gaining access to policymakers, rather than in changing policy. Access is the ability to meet or to exchange information directly with policymakers (Beyers, 2004; Bouwen, 2004). Instances of the latter include membership of closed advisory committees (e.g. Balla and Wright, 2001; Binderkrantz and Christiansen, 2015; Fraussen et al., 2015) or (invited) committee hearings (e.g. Leyden, 1995; Pedersen et al., 2015).

micro-manage policy—benefit from specific modifications of a law—. Interest groups are interested in the marginal gains they can get from specific modifications to legislation as much as in pursuing sweeping changes to the legislation. Given the negative agenda-setting power of majority parties and blocs (Cox and McCubbins, 1993)—their capacity to stop legislation from reaching the floor—, and the pervasiveness with which parties exercise this power, interest groups are usually better off pushing for specific modification of a law than trying to overhaul the status quo.

The remainder of this chapter explores more in detail how issue ownership and issue salience condition interest group participation in committee debates. I look at the importance of the sequential organization of legislatures and the role of legislators with gatekeeping authority in the invitation of interest group participation.

2.1 Issue advantage, issue salience, and interest group participation

Parties aim to talk as much as possible about the issues they own. *Issue ownership* is a long-term reputation for handling an issue well (Budge and Farlie, 1983; Green, 2011; Green-Pedersen, 2007; Petrocik, 1996; Sides, 2006; Vavreck, 2009). According to issue ownership theory, parties hold an advantage on certain issues as the public believes that they are better suited to deal with them.² The issues a party “owns” are those policy areas in which its handling ability is particularly highly rated by voters. Policymakers cannot detach themselves from this percep-

²There are two dimensions to issue ownership: competence and association. “Competence” refers to the ability of a party to dealing with an issue, whereas “association” refers to the connection to that party to the issue (Walgrave et al., 2012). The distinction addresses how voters react to issues and parties. Competence issue ownership might be assigned by voters to a party of their choice, while associative issue ownership draws attention to a party when thinking about an issue.

tion,³ but the implication is that, in most cases, they do not want to. Parties will benefit when the issue they own gets the spotlight in the political discourse. Their association with the issue may improve both their popular standing and coalition potential; thus, parties do their best to promote it and increase their expected vote. Note that the public agenda, in democracies, is rarely under the control of one party. Parties can try to promote their linkage to their owned issues, but they will be successful only to a limited extent.⁴ Regardless, talking about owned issues is better than not talking about them (Sigelman and Buell, 2004), and politicians will do so to increase the overall salience of issues in the campaign trail (Iyengar, 1991; Iyengar and Kinder, 1987; Sides, 2006) as well as in the legislature (Cox and McCubbins, 2005).

The effect of issue ownership is expanded to the strategic choices of individual party members. The reputation of a party is a public good to all members sharing the party's label, and will partially depend on the party's record of legislative accomplishments. Since legislating is a team production, policymakers collectively prefer compiling a favorable record of legislative accomplishments, especially on is-

³According to Petrocik (1996), there is “party constituency issue ownership”, a long-term and stable ownership, and a “performance-based issue ownership”, which suggests issue ownership can change across time. Research suggests that political parties' issue ownership is somewhat stable across time (Seeberg, 2017), especially the associative ownership perceptions (Tresch and Feddersen, 2018). In general, issue ownership might change across time, but it is a long process. For example, the Democratic party in the southern United State was once the party of segregation but now owns civil rights issues—it took a generation or more for this shift to occur (Dixit and Londregan, 1996: 1135). However, this process can change in political contexts where parties often enter and exit the system, and voters have to constantly rebuild the expectations they have from newcomers.

⁴Budge (2015) makes a point of the misleading nature of the term “ownership”. “Ownership implies that parties are free to do what they like with ‘their’ issues [...], and while they undoubtedly try to do so, [...] they are often linked to certain issues regardless of the electoral advantages (or disadvantages) they might bring.” A better name to “ownership” might be “advantage” or “linkage.”

sues they own. After all, politicians seek reelection and internal advancement in the ranks, and a good reputation works in their favor. (Cox and McCubbins, 1993; 2005)

In issue ownership terms, parties and their members prime owned issues, using all available venues to do so, from press releases (Grimmer, 2009) to the plenary floor (Pardos-Prado and Sagarzazu, 2014). Interest group participation in committee debates can yield similar results. In Ecuador, interest groups often bring media outlets to the committee debates or media outlets are attracted by particularly crowded debates.⁵ Committee members will take advantage of the situation to gain air time. While committee debates should be an exposition of information and a political exchange, legislators will often address the media rather than their interlocutor. In late 2018, the Tributary Committee of the Ecuadorian Congress met to discuss insurance fees charged by banks to consumers. Representatives of the mayor bank associations participated, as well as the Bank Superintendent (an overseer of banks designated by the executive) and a number of affected consumers. Journalists and cameras filled the room, and on top of the extensive use of their floor time, legislators did not hide their keenness to face the cameras even though they were addressing another person in the room. This anecdote reflects common behavior, as was later confirmed in interviews with the committee chair, a committee member, and various congressional staff from the Ecuadorian Congress. Note that interest groups wanting to raise the salience of issue they represent and bringing

⁵Note that the effect of issue salience is a two-way street. Raising the salience of an issue can be a strategy employed by interest groups to force legislators to address an issue.

media to a committee debate is not at odds with other tactics employed by groups. Interest groups use coverage by mass media as an “outside strategy” to influence the political debate (Kollman, 1998; Thrall, 2009); they raise the salience of issue through direct democracy initiative (Smith and Tolbert, 2004; Tolbert et al., 2009); and air issue-advocacy ads, often times more credible than those aired by candidates (Groenendyk and Valentino, 2002).

Thus, the main incentive legislators have to make public an otherwise private affair, such as lobbying, is the opportunity to raise the salience of issues the party owns. Since legislators gain collectively from the party’s reputation, legislators will strategically **invite** interest groups to participate in committee debates in an effort to raise the salience of owned issues. Having the prerogative to decide when interest groups are invited grants parties a political benefit, and that prerogative often falls on the legislators with gatekeeping authority. “Gatekeepers of influence” means that parties invite interest groups that bring attention to the issues that they have an advantage, either to attack groups on policies they want to defeat or to support policies they want to put forward. Therefore, the institutional arrangements of legislatures, as well as the strategic considerations of parties to take advantage of these arrangements, are necessary to understand when parties will open the gates and to whom.

2.2 Delegating gatekeeping to party authorities

Legislators work and vote within the confines of a political and institutional environment. Cox and McCubbins (1993; 2002; 2005) argue that parties act as cartels that organize the institution for partisan benefits. These legislative cartels use procedural powers to gain advantages for its party members. Mainly, majority party members delegate authority to central agents (party leaders), who control the legislative agenda to maximize success. To do so, legislators take advantage of the gatekeeping authority bestowed upon committee chairs and prevent bill initiatives that divide the party from reaching the plenary floor.⁶ While the decentralized authority of committee chairs can result in divisive legislation that is not supported by all senior members of the party, there are various instruments to prevent defection from the partisan agenda. In exchange for loyalty, party leaders may offer side payments to members in the form of distributive benefits or favorable committee assignments (Cox and McCubbins, 1993; Frisch and Kelly, 2006). In other cases, “safety valves” can be placed to filter unwanted bills. In Argentina, legislation that is reported from committees is subject to review in pre-floor party meetings, before they can be scheduled for a plenary vote by the Chamber Directorate (Calvo and Sagarzazu, 2011).

Gatekeepers in the legislature control the congressional agenda, granting them a significant advantage over the rest of legislators. Gatekeeping authority in mul-

⁶A second mechanism suggested by Cox and McCubbins (1993) is the use of policy log-rolls, where party members can extract district-specific benefits while supporting the partisan agenda as a whole.

tiparty legislatures is usually endowed to the largest party, which can impact the direction of policymaking. In the U.S. Congress, there is rational anticipation by committee chairs that serves to screen legislation that may divide or defeat the majority party on the floor vote (Cox and McCubbins, 2005). Indeed, one of the emphasis of the party cartel theory is the negative agenda power afforded to party holding the gatekeeping authority (Cox and McCubbins, 2005), something that has been examined in the U.S. context (Cox, Kousser, and McCubbins, 2010; Finocchiaro and Rohde, 2008) as well as in Latin America (Amorim Neto et al., 2001; Cox and Morgenstern, 2001; Aleman, 2006). As in the U.S. Congress, in most of the Latin American legislatures, a majority of bills die at the committee stage. Aleman (2006) shows that approximately 50% of legislatures in Latin America impose no deadlines for the consideration or reporting of legislation to the plenary floor,⁷ an institutional advantage for gatekeepers looking to avoid unwanted legislation to continue its course. As Robert Bendiner (1964) more eloquently described it: “[A congressperson] has two principal functions: to make laws and to keep laws from being made. The first of these [is achieved] with sweat, patience, and [...] remarkable skill [...] but the second they perform daily, with ease and infinite variety.”⁸

The sequential organization of the legislative process in many Latin American countries endows parties with a variety of resources to restrict the set of policy choices available to legislators and to affect their voting behavior (Amorim Neto

⁷In the case of Ecuador, committees have 55 days to review a bill and elaborate a report for the first debate in the plenary floor. In practice, committees chairs can hold on to a bill if they decide to prioritize other initiative or if a majority of committee members are unwilling to discuss it.

⁸Bendiner (1964) was referring to the U.S. Congress, but this characterization can be extended to all legislatures where gatekeepers have agenda-setting prerogatives.

et al., 2003). In a party-based legislature, for example, it is to be expected that bills spearheaded by members of the majority party will have a higher probability of passage than those proposed by members of other parties. In time-constrained legislatures, members with control over the scheduling of legislation being debated should be expected to prioritize the bills of their own party and, most importantly, stop unwanted legislation to reach the floor (Calvo and Sagarzazu, 2011).

In countries where congressional committees play an important role in legislative success, the committee chairs have gatekeeping power with extensive control over the scheduling of legislation being debated within. The scheduling prerogatives of committee chairs often extend to the participants of the committee, even though these tend to be more context specific. Common examples include membership to closed advisory committees (e.g., Balla and Wright, 2001; Binderkrantz and Christiansen, 2015; Fraussen et al., 2015; Rasmussen and Gros, 2015) or (invited) committee hearings (e.g., Leyden, 1995; Pedersen et al., 2015). Interest group participation in committee debates in the Ecuadorian Congress falls closer to the latter, even though, as previously suggested, the details of how gatekeeping authority is exercised vary.

I have revisited the importance of the sequential organization of legislatures and extended that logic to interest group participation. Gatekeepers control the flow of legislation from committees, as much as they open and close the gates to participate in committees. As suggested in the previous section, opening the gates to interest groups raises the salience of issues, and committee chairs will use this strategically to favor the party. Next, I analyze the underlying reasons for interest

groups to accept these invitations.

2.3 Accepting the invitation: Interest groups and the micro-management of policy

Scholars have conceptualized lobbying in three distinct, though not necessarily exclusionary, ways: as a form of exchange, as a transmission of information, and as a legislative subsidy. Exchange theory suggests that policymakers and lobbyists engage in an implicit trade or quid pro quo, often vote-buying through campaign contributions (Austen-Smith, 1996; Dekel et al., 2009; Groseclose and Snyder, 1996). Theories on lobbying by the transmission of information understand the role of interest groups as purveyors of information (Grossman and Helpman, 2001), revealing the state of the world and the effect of policy on the status quo as a means of persuasion (Hansen, 1991; Austen-Smith and Wright, 1994). Rather than a mechanism to change legislators' preferences over policies, legislative subsidy theory argues that interest groups "assist natural allies in achieving their own, coincident objectives" (Hall and Deardorff, 2006).

Irrespective of the mechanism driving lobbying, interest groups are interested in the marginal gains they can get from specific modifications to a policy initiative as much as in pursuing sweeping changes to the legislation. The former will often be a more effective strategy since incremental changes are more common than substantial ones (True et al., 1999). This is in part due to the organization of political institutions (Baumgartner and Jones 1991; 1993), and in part due to partisanship

(Baumgartner et al., 2009). In legislative politics, the devil is in the details. Interest groups seek to manage the “fine print” of policy, even when they have open and broad positions about the state of policy. Interest groups are aware of the complexities of the policy-creation process and the rigidity of the status quo and hedge their investments by pushing for changes in articles or targeted additions to a legislative initiative. Legislative success is conditional on institutional characteristics and political interactions that are difficult to sway. As previously suggested, negative agenda-setting power is the main driver of legislative success in legislatures where gatekeepers have agenda-setting prerogatives. Even if interest groups have the resources and the political acumen to move the status quo significantly, this push would come before a policy is introduced into Congress, and not once it has already entered the legislature. Given the characteristics of Congress and party cartels within Congress, the rare bill initiatives leaving committees are likely to change the status quo, and at this point, interest groups are better off trying to scrape as much as they can, especially at the margins.

Thus, interest groups gain more from riding the wave of a bill moving the status quo than from investing in the creation of the wave itself. Take the case of Ecuador, for instance, where interest group representatives were particularly cognizant of the importance of addressing the “fine print” of policy, as well as the broader picture. The former president of the board of directors of the *Bolsa de Valores de Quito* (Quito Stock Exchange) said that “as an organization, [the Quito Stock Exchange] has always been vocal in our position on financial regulations [...], and when the

*Código Orgánico Monetario y Financiero*⁹ was being debated we expressed our concerns about its technical flaws [...] and the effect it would have on [the Quito Stock Exchange]. We made our opposition clear.”¹⁰ Regardless when asked about the effect of their participation in the debate of the same bill, she pointed out that “we pushed for the modification of certain articles of the law [...]. In the end, I would say we got around 80% of the changes we proposed.”¹¹ The complexities of the legislative process also explain why most interest groups in Ecuador were reactive to policy changes, rather than active participants. More prominent and better-funded interest groups are usually the only organizations capable of moving policy in such a drastic way. The *Cámara de la Producción de Guayaquil* –the Guayaquil Chamber of Commerce– for example, has had, historically, great influence over the destinies of Ecuadorian politics and policy. León Febres Cordero became president in 1984 backed by the *Cámara de la Producción de Guayaquil* (Freidenberg and Alcántara, 2001), and the *Cámara de la Producción de Guayaquil* was also instrumental in the dollarization of the Ecuadorian economy in 2000 (Acosta Mejía, 2009). But these are rare cases, an observation in line with incrementalist theories of policy (Baumgartner and Jones, 1993)

It is within this context that the implicit exchange if we can call it such a

⁹The *Código Orgánico Monetario y Financiero* is a law regulating the activities of financial and fiduciary institutions in Ecuador. It was initially proposed by president Rafael Correa in 2014 and was signed into law the same year.

¹⁰Interview with Mónica Villagómez, President of the Board of Directors of the *Bolsa de Valores de Quito* (Quito Stock Exchange). October 18, 2018.

¹¹The chair of the Tributary committee confirmed this behavior from interest groups, annoyed, in part, by the lack of a “general to particular” view of policy. “Most [interest groups] are only concerned with whether the tax exemption for new businesses should be for 3 years or 5 year or 7 years [...]. There are no [groups] that make claims about the spirit of the bill or their preference for certain policy in the context of a broader view of the state.” He did mention that, at the very least, these interventions reveal information about the interest groups themselves.

thing, is realized: interest groups participate in legislative committees and raise the salience of the issues discussed, while legislators allow interest groups to propose marginal changes to legislation. This is the crux of public lobbying. The willingness of interest groups to get access to committees is constant. Yet, on top of the capacity to micro-manage policy, interest groups have additional incentives to participate in committees. First, interest groups gain institutionally. Their presence in the policy-creation space is a tangible representation of access, something interest groups offer to their (fee-paying) members. It also reveals their technical capacity and the policy position to all committee members and creates possible links for the future. Note that “permanence” is not a quality of the Latin American legislator, where the turnover of congressional candidates is high (Samuels, 2002), so networks between politicians and interest groups need to be constantly created anew. Second, as described by an interest group representative in Ecuador, public pressure “gets [legislators] into action.”¹² Previously, I argued that politicians invite interest groups to raise the salience of an issue. Yet, the effect of issue salience is a two-way street. Raising the salience of an issue can also be a strategy employed by interest groups to force legislators to address it. Interest groups often bring media outlets to the committee debates or use their participation in committee debates to bolster their discourse in the media,¹³ and raising the salience of an issue provides an additional benefit: politicians are forced to participate and act on salient issues (Feldman and Zaller, 1992; Niemi and Bartels, 1985; Petrocik, 1996; Sides, 2006).

¹²Interview with Christian Walhi, Executive President of ANFAB. October 15, 2018.

¹³This strategy is not at odds with the idea of interest groups focusing on the “fine print” of the law. Even when bills have broad impact on an issue, the discussion usually focuses on one or two articles.

Finally, there are benefits to interest groups that work in countries where lobbying is not formalized and the institutional characteristics make the private agreements between legislators and interest groups uncertain. Lobbying is mostly unregulated in Latin America,¹⁴ and the interactions between interest groups and policymakers are rarely carried out in formal venues. There are conversations and negotiations between interest groups and policymakers that, while legal, are not registered or reported (or observable). In Ecuador, the *Cámara de Comercio de Quito* (Chamber of Commerce of Quito) routinely holds informative meetings with public officials at different levels and branches of government.¹⁵ A former Ecuadorian minister of *Coordinación de la producción, empleo y competitividad*, a secretary in charge of coordinating topics of production, employment and competitiveness, held regular meetings with representatives of different sectors and organizations, both to clarify the position of the government and to receive input about new legislation being proposed or needed.¹⁶ The examples are context-specific, but they help illustrate some of the consequences of unregulated lobbying. First, there is no legal definition of what constitutes lobbying, or who is a lobbyist. Are the meeting and workshops held by the *Cámara de Comercio de Quito* lobbying? Is asking for a meeting with a secretary of state to discuss policy lobbying? Second, the legal lines between policymakers and lobbyists are blurred, even for them. It is

¹⁴México, Perú, and Chile are the only countries in Latin America where lobbying is explicitly regulated. The first country to regulate lobbying activity was Perú in 2003, although the actual law has come in conflict with the barriers imposed by the Peruvian legislation. Mexico approved regulations for lobbying activity in 2010, while Chile did so in 2014.

¹⁵Interview with Patricio Alarcón, President of the *Cámara de Comercio de Quito* (Chamber of Commerce of Quito). October 19, 2018.

¹⁶Interview with Nathalie Cely, former Ecuadorian minister of *Coordinación de la producción, empleo y competitividad*. Octubre 19, 2018.

not surprising that the informal interaction between interest groups and legislators are as necessary for the ongoing discussions and negotiations of a bill as are the public manifestation of this interaction. As suggested by the executive president of the main association for producers of food and beverages in Ecuador, “we move simultaneously in a formal and informal setting [...]. Informal meetings get you access and a ballpark agreement, formal [venues] allow us to validate what we propose.”¹⁷ In other words, participation in committees formalizes agreements reached in informal settings. While there are mechanisms to raise the cost of agreements reached in private between legislators and interest groups,¹⁸ the private exchanges between legislators and policymakers lack formal mechanisms of commitment and is speculative in nature. Interest groups want private arrangements with legislators to be materialized in policy or, at the very least, to be considered for a vote. Participating in committee debates, or any other public account of lobbying increases the chance the committee will discuss and vote on a proposed change. An invitation to a committee debate is an opportunity to have your proposal on record. Once it is on record, the proposal will be considered and voted on by committee members.

¹⁷Interview with Christian Walhi, Executive President of ANFAB. October 15, 2018.

¹⁸Private agreements can be binding because the payment (votes/positive endorsement) a legislator receives from interest groups for the commitments they make are delayed and fixed with the electoral cycle. The shadow of the future hangs over private commitments since politicians cannot reap the reward ex-ante. Moreover, even if politicians can plausibly deny having made private commitments, it does not mean interest groups cannot mobilize voters against them. It can be costly for a legislator to renege. Yet, it is *more* costly to renege once agreements are formalized into the legislative records and decreases uncertainty.

2.4 A different information model of legislative activity and lobbying

Researchers have argued that structure—in particular the committee system—is key to understanding the behavior of legislators, but only as it serves the ends of the party (Cox and McCubbins, 1993). As previously described, parties are understood as legislative cartels, usurping the rule-making power of Congress in order to endow their party members with differential powers (i.e. gatekeeping authority). The informational rationale for congressional institutions, in contrast, is less interested in the party, and more focused on how the institutional arrangements acquire and disseminate information (Krehbiel, 1991). Committees are powerful legislative tools that monopolize information and expertise, to then supply that information to the rest of Congress accurately and truthfully. I share the emphasis on both party and information and propose a different “information” model of legislative activity, one where legislators answer to and benefit from the strengths of the party precisely by strategically disseminating information (i.e. raising the salience of an issue). Parties take advantage of the prerogatives granted to them by the sequential organization of the legislature. Yet, rather than solely thinking about the effect bills will have on the way party members vote, gatekeepers rely on interest group participation to increase the visibility (make public) bill initiatives of issues they own, and gain from the increases salience.

The strategy is in itself a signal to the party and a signal to the voters. To the voters, a reminder or a prompt of who (i.e. what party) is handling what important/salient issue (in this case, the issue the party owns). To the party, that

a successful outcome of a bill addressing the owned issue is a(n) (electoral) win for the party. Rather than relying in specialized committees to inform the plenary (á la Krehbiel, 1991), gatekeepers rely on interest groups to raise the salience of an issue, thus informing the party that they can now bank on the political investment of supporting a bill (or, in game theoretical terms, of moving the status quo).

The proposed theory farther departs from informational theories since legislators are not (only) looking for information (from interest groups) nor is this information the main driver of their behavior, but they instead invite interest groups to raise the salience of issues, making voters the main audience. Krehbiel notes that "two informed opinions are better than one, especially when the informants are natural adversaries" (1991, p.84), but it might be that the heterogeneity or homogeneity of the information is less important than the multitude of bodies that bring it.

The alternative information model presented here addresses the public accounts of lobbying, something often absent from interest group theories. Exchange theory (Austen-Smith, 1996), for example, cannot explain public participation of interest groups. Interest groups needn't be on committees for them to help bring out voters in support of legislators that promote their values. The transmission of information models (Grossman and Helpman, 2001) can explain the strategic choice of lawmakers to invite interest group to participate and reveal information about the state of the world to other legislators. But these models assume that the audience is other legislators. While this might be the case, committee politics are not emblematic of genuine debate. After all, debates and speeches on committees are less about policy and more about politics, ranging from the electoral advantages through

advertising and position taking (Mayhew, 1974; Pearson and Dancey, 2011), to the expertise shown to other members of the legislature (Pearson and Dancey, 2011), and the assertion in leadership positions. Rather than a dialogue, politicians “speak past one another” (Ceaser and Busch, 2001), a description that can be extended to the interaction between interest group representatives and legislators. This would suggest that the true audience is, primarily, the party and the party constituents.

2.5 Conclusion

The objective of this chapter was to present a theory of public lobbying in the legislature, highlighting the importance of issue ownership, issue salience, and the effect interest group participation in committees has over the latter. I argue that legislators with gatekeeping authority will invite open the committee gates in the issue they own and close them for the issues they do not. Inviting interest groups to committee debate raises the salience of the issues discussed, granting political and electoral benefits to the party owning the issue. Interest groups do not engage in this behavior selflessly. They gain, among other things, access to micro-manage the policy being debated.

The model departs from the current theories of legislative activity and lobbying. It is a different “information” model that stresses the importance of gatekeepers and the effect opening and closing the gates to interest group has on the party. Subsequent chapters give descriptive and empirical accounts of the theory by examining interest group participation in the Ecuadorian Congress.

Chapter 3: The Legislative Organization of the Ecuadorian Congress

Ecuador is a difficult country to govern.

Velasco Ibarra, five-time president of Ecuador

3.1 Introduction

In the previous chapter, I proposed a theoretical framework to analyze interest group participation in the legislative process. The theory suggests that committee chairs, legislators with gatekeeping authority, will strategically invite interest groups to participate in committees in order to raise the salience of the issues the party owns. This chapter describes in detail the legislative organization of the Ecuadorian Congress, the role of parties and party leaders, and the participation of interest groups at the committee level.

The sequential organization of the Ecuadorian Congress endows committee chairs with agenda-setting power. Committee chairs use this power to control the flow of legislation as well as the participation of interest groups in the debates. While the rules governing this legislative body have changed over the years—from proce-

dural reforms to constitutional reforms—the organizational distribution of power has remained constant. Even though party leaders have a limited toolbox to whip committee chairs, it has been sufficient to yield some control over the decisions coming from these pockets of decentralized power.

The debates within the committees are characterized by their performative nature rather than their deliberative qualities. Media outlets are often present and legislators are more interested in speaking to the cameras than to each other. One common complaint among interest group representatives and some legislators was the lack of substantive debate within committees. Yet, as suggested in the previous chapter, the politics of debates are paramount for controlling the level of exposure a bill gets (i.e. salience) and taking advantage of this exposure will affect how parties are perceived by voters.

The rest of the chapter describes parties and their presence in the Ecuadorian Congress across time. I also explain the process required to turn a bill into law, emphasizing the procedure and politics of discharging bills from committees to the floor. I close the chapter by detailing how interest groups try to micro-manage policy, at what stage, and how the actual interaction with legislators looks like. While interest groups hold general stances vis-à-vis policy, managing the “fine print” of legislation is a common strategy used to obtain marginal gains from a process (i.e. the approval of a bill) that is conditional on actors, contexts, and politics they cannot control.

3.2 Understanding the Committee System in Latin America

The organizational characteristics of legislatures are similar across Latin America. Most legislatures in Latin America have permanent committees with specific policy jurisdictions (Saiegh, 2010). There is variation in the number of committees, from 7 in Colombia to 48 in Honduras, as well as in the size of the legislative bodies, from close to 600 in Brazil to 57 in Costa Rica. According to Saiegh (2005), all countries in Latin America, except for Brazil and Colombia, have too many committees relative to their size.¹ This means that legislators often need to serve in more than one committee at the same time. In Argentina, for example, the median number of assignments of a member of Congress per committee in 2007 was five, even though some participated in up to ten committees in a single congressional period (Calvo, 2014). For the most part, the sequential organization of legislatures in Latin America is similar, decentralizing power to committees chairs and granting them agenda-setting prerogatives. At the same time, party leaders will have different mechanisms to keep member loyal to the party line.

Legislative rules in the continent give party leaders, to a varying degree, some type of power over committee appointments, along with prerogatives to manage the legislative agenda. The amount of power a party leader will yield is dependent on the number of seats the party gets. The allocation of committee assignments is, for the most part, determined on a partisan basis (Saiegh, 2010). Party leaders often use committee chairmanships and membership as rewards for party loyalty (Heath

¹As a benchmark, Saiegh (2005) uses the average ratio of the number of committees to the size of the legislature for a cross-section of non-Latin American countries.

et al., 2005), something particularly useful in countries where electoral rules allow or encourage legislator independence (e.g. Ecuador between 1979 and 1996).

The staff and resources available to assist with committee work in Latin America are deficient. In Brazil, one of the better-staffed legislatures in the continent, a research office that has about 35 professionals assists the budget committee of the lower House (Saiegh, 2010). In contrast, other legislatures, like the Argentinian, have staff members assigned to the committees, but these only perform administrative functions (Rundquist and Wellborn, 1994). In Ecuador, while there is a technical unit providing legal assistance to all legislators, the staff working in each committee is limited to three members appointed by the chair.² These members are in charge of scheduling and submitting the reports to the Congressional archive, but given the political nature of their appointment, they often lack formal training.

In general, legislatures in Latin America are characterized by low levels of citizens trust (Latinobarometer, 2018) and low effectiveness in representing societal interests (IDB, 2005). Saiegh (2010) constructs a two-dimensional representation of Latin American legislatures measuring their capability and proactiveness. Brazil, Chile, and to a lesser degree Uruguay, are characterized as constructive legislatures, with the potential to become proactive. Argentina, Peru, and Panama are described as somewhat obstructionist, but mostly passive. In this analysis, Ecuador is located in the center of both dimensions, more likely a reflection of the organizational changes across time than of the structural characteristics picked up by the model, but still a good starting point to describe the Ecuadorian Congress in

²Interview with Congressional Staff 1, April 5, 2019

terms of the actors participating, the rules conditioning their behavior, and the institutional characteristics determining their power.

3.3 Parties, legislators, and presidents in Congress

Ecuador is a unitary state with 25 electoral districts³, holding competitive elections to select a president, national legislators, provincial legislators, governors, mayors, and a varying number of municipal council members. Despite the many dictatorial stints, both civilian and military, during the first half of the twentieth century, since 1979 Ecuador has been a relatively stable democratic regime. Competitive general and sectional elections are regularly held with alternation in all levels of government, and while the constitutional order has been disrupted as a result of political and economic instability, the democratic order has been quickly reestablished. More importantly, a majority of citizens in Ecuador support democracy, a number that has steadily risen since 1996 (Latinobarómetro, 2017).

The party system in Ecuador is one of the most fragmented in Latin America (Freidenberg, 2006). Since 1979, there have always been at least 10 parties and movements with legislative representation, with a high of 19 in 2002. Figure 3.1 shows the share of seats by party per legislative period and their survival rate. Many of the parties that won seats in the first decade after the return to democracy in 1979 had disappeared by 2006. The emergence of new parties, with outsider leaders, is not uncommon. The most notorious case is Alianza País in 2008 (24th legislative

³Each province (24) is an electoral district. One district is added for representatives of Ecuadorians living outside the country.

period) who won close to 50% of the seats in Congress as a first-time participant. Smaller parties (labeled as “Other”), parties that have not controlled more than 5% of the legislature at any point in time, made up a considerable portion of Congress, especially until 2006. The fragmentation of the system is in part a consequence of the institutional design: laws restricting coalitions (until 1996), laws loosening the restrictions for participation (i.e. movements were allowed to participate in 1995), and the different methods to allocate seats (i.e. from D’Hondt to proportional representation, and back). Parties have also catered mostly to regional constituents, accentuated by the ethnic cleavages that became politically relevant in the early 1990s (Van Cott, 2007). As many scholars have argued, the governability problems of Ecuador have been aggravated by this fragmentation, a reflection of broader regional fractures (Pachano, 2004; Freidenberg, 2003).

The characteristics of the party system in Ecuador have an effect on the behavior of parties and legislators in Congress. Between 1979 and 2008, there have been no congressional majorities or stable coalitions (Mejía Acosta and Polga-Hecimovich, 2011). Before 1996, the short-term limits for legislators—legislators were banned from seeking immediate reelection—weakened the influence party leaders had on the political careers of the rank and file (Morgenstern, 2002). With no leverage over legislators’ electoral prospects, party leaders had few tools to retaliate against dissent or *camisetazos* (party switches). The dynamic changed with the 1996 reforms that allowed immediate reelection. This reform, combined with other mechanisms in the leaders’ toolkit (e.g. promote or block legislative initiatives of party members, the allocation of committee assignments, the distribution of legislative staff and other

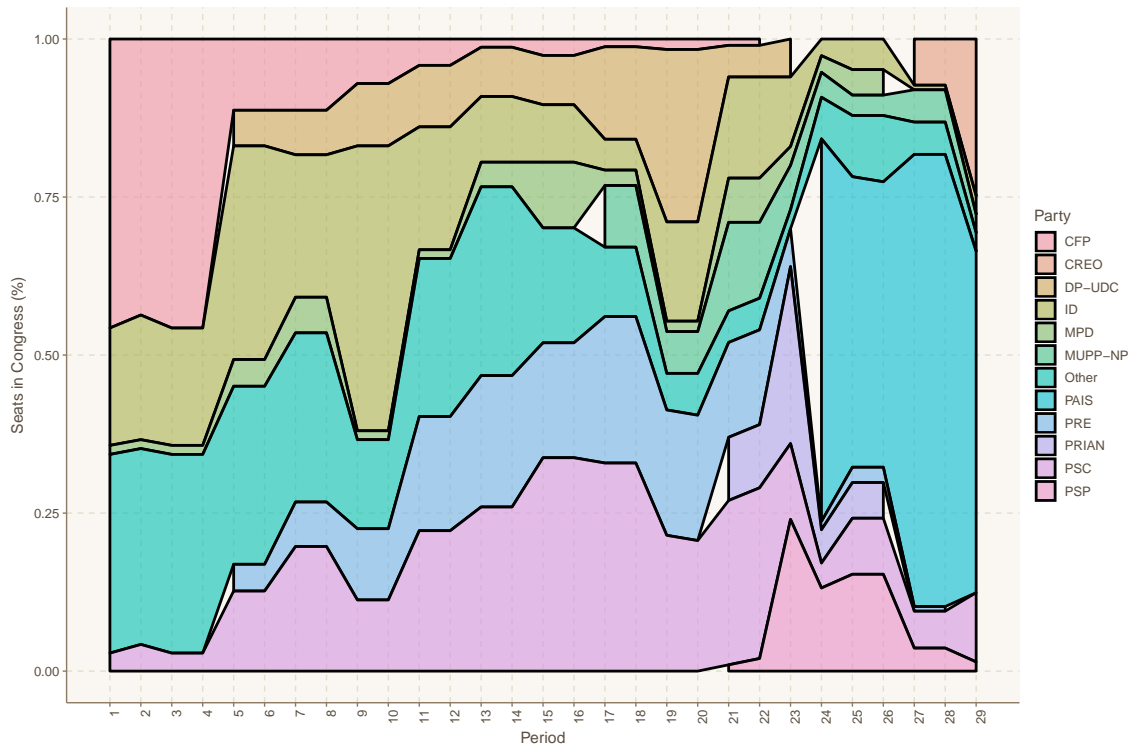


Figure 3.1: Description of seat share by party from 1979 to 2019. Empty spaces mark the emergence of new parties. Note, for example, the victory of PAIS in 2008 (period 24), that won almost 50% of the seats in their first participation.

resources), eventually gave party leaders enough power to control and coordinate their members (Acosta Mejía, 2009).

The key leadership positions within the Ecuadorian Congress are the presidency, the CAL (*Comisión Administrativa Legislativa*)⁴, and the committee chairs. All of these positions are endowed with agenda-setting prerogatives that will be later explained in detail. The presidency is usually given to the party with the greatest amount of seats, with the second largest political bloc holding the vice-presidency. The CAL is comprised of the president, the vice-president, and four legislators, who are chosen from the four largest political blocs. Committee chairmanships are allocated by the CAL and are a result of previous negotiations. It is important to note that these negotiations have become more streamlined with each passing period. During the early 1980s, Congress took up to 4 months to agree on the confirmation of committees and the distribution of chairs. By the early 1990s, the negotiations were finalized within the first week of each legislative period.

Despite any prerogative party leaders could have over the members of the party, they always have to be in constant political negotiations with a historically strong executive. Ecuadorian presidents are endowed with significant agenda-setting power, and political and material resources to influence the legislative process. In addition to the president's decree and veto authority,⁵ they can also allocate cabi-

⁴The *Comisión Administrativa Legislativa* is an administrative-like unit that is in charge of classifying bill initiatives and assigning them to committees. I provide greater detail of the CAL throughout the chapter.

⁵Though the rules have been modified in various occasions since 1979, in general, presidents have had either exclusive rights to initiate bill related to fiscal reform and government spending, or the capacity to send urgent economic bills to Congress, which have shorter time frames for debate, and are automatically approved if Congress fails to vote on them. A presidential veto can only be overturned by an absolute majority.

net positions and offer valuable government posting,⁶ and, before 2008, (often legal though seldom moral) informally use a discretionary spending fund (*gastos reservados*) to finance legislators' individual development projects (Mejía Acosta and Polga-Hecimovich, 2011).

The political history of Ecuador can be roughly divided into three periods, all of which saw different (dominant) parties in Congress, and different inner workings. The first period, between 1979 and 1996, was characterized by a process of professionalization of the traditional parties, while constantly negotiating coalitions with marginal movements. No party was able to get (close) to a legislative majority, and the profound ideological divides between parties limited the capacity to form lasting coalitions (Freidenberg and Alcántara, 2001). In 1997, the PSC (*Partido Social Cristiano*)⁷ and the DP-UDC (*Democracia Popular*)⁸ secured a governing short-lived coalition known as the *aplanadora* (“steamroller”), that supported the market-based economic reforms of then president Jamil Mahuad. The breakdown

⁶Given the high turnover rates and short term-limits of Ecuadorian legislators, cabinet appointments and diplomatic posts usually trump legislative ones. Politicians often have more resources in executive posts, some of which can be used to advance the goals of the party itself.

⁷The PSC is one of the most influential parties of the last four decades of Ecuadorian political history. It is a conservative party that emerged in 1951 as a representative of the traditional elite of the highlands (*sierra*). Six years later, the founder and historical leader of the PSC, Camilo Ponce Enríquez, won the presidency through a conservative coalition that broke the liberal rule of 61 years. By the early 1980s, the PSC had extended its reach to the coast, where, under the leadership of León Febres Cordero, it revamped and strengthened its organizational structure (Freidenberg and Alcántara, 2001). Even though it lost some legislative presence after 2008, it has maintained in Guayaquil, the largest city, its political stronghold, having occupied the mayor's chair uninterruptedly since 1992.

⁸The *Democracia Popular* emerged after a dispute between the founder of the PSC, Camilo Ponce Enríquez, and the younger members of the party. It presented itself as a modern alternative to other conservative parties in the 1960s. Despite its unsuccessful beginnings, it entered the political arena early after the return to democracy in 1979, through a coalition with the *Concertación de Fuerzas Populares* (CFP), an alliance that allowed them to win the vice-presidency and, after the early death of CFP's president Jaime Roldós, the presidency. Since then, the party won the presidency again in 1998 and has elected various mayors, most importantly, the mayor of the capital, Quito. The political prominence of the party waned towards 2008 and, while many of its former members are still politically active, the party was dissolved in 2013.

of the coalition was triggered, among other things, by the collapse of the Ecuadorian banking system in 1999. The polarized policy preferences for addressing the crisis created friction between the PSC and the DP-UDC. The president's decision to impose a freeze on accounts and later dollarize the economy alienated the government's PSC allies, who had already secured important posts in courts and influential government agencies (Mejía Acosta and Polga-Hecimovich, 2011). The political, social, and economic crisis of that period extended until 2006. In that 10-year period, two presidents were ousted from office (including Jamil Mahuad) amid corruption scandals and deep social mistrust. By 2005, massive mobilizations of people disenchanted by the political system took the streets with the chant: *que se vayan todos* (everyone leaves). This led to the third period, which was consecrated in 2008 with the drafting of a new Constitution. *Alianza País* (AP), led by the movement leader Rafael Correa,⁹ was able to secure, for the first time since 1979, a majority in Congress. At the same time, most traditional parties had virtually disappeared after 2006, and new parties emerged (see Figure 3.1). The political landscape changed, not only by the levels of electoral support and economic resources that AP had to govern but also by the dynamics within Congress, where a clear government/opposition confrontation was always at the forefront.

3.4 The approval of a bill initiative

The Ecuadorian Congress has a fixed schedule for the approval of bills, a feature that has been relatively constant despite the various institutional reforms.

⁹Carlos de la Torre (2013) describes Correa as a “populist technocrat”.

The legislative process begins with a bill initiative¹⁰ being deposited with the CAL (*Comisión Administrativa Legislativa*). Bills are introduced by a lead sponsor, who can be a member of Congress, a member of the executive, a member of the national judiciary, or, under special conditions, a citizen group.¹¹ Legislators need the support of their bloc (party or coalition) or the support of 5% of legislators (LOFL Art. 54). Bill may also be endorsed by other members of Congress, as long as the main sponsor is also a member of Congress. Until 2008, each bill was assigned a file number (i.e. II-98-001 or 20-001)¹² by the staff of the *Secretaría Técnica*, a congressional agency in charge of providing legal and administrative support to legislators. The *Secretaría Técnica* sends a non-binding report to the CAL suggesting the continuation (or not) of the bill on technical grounds and the committee to which it should go based on the policy jurisdiction implied by the wording of the bill. The *Secretaría Técnica* can also suggest combining the discussion of various bills addressing a similar topic. Even though for many cases the CAL will accept the suggestions from the *Secretaría Técnica*, interviews with congressional staff and legislators suggest that there are political considerations when deciding to which committee a bill is assigned and, most importantly, what bills are allowed to reach committee, and which are killed in this first stage.¹³ Note that there are limits to

¹⁰Bills have different scopes. They range from public declarations on regional landmarks to complete overhauls of the civil code.

¹¹Before 1998, a committee could also introduce a bill.

¹²The file number is composed of three elements: the legislative year within a period (I, II, III, or IV), the last two digits of the year, and the order of submission of a the bill in the legislative year. The code changed after 1998, and the legislative year and the last two digits of the year were given a code, starting at 20. Interviews with staff from the *Secretaría Técnica* and the Congressional Archive said that there are no formal rules on coding and archiving bills, so the format tends to change with the staff.

¹³Interview with Congressional Archive Staff Member 1 of the *Archivo-Biblioteca de la Asamblea Nacional*. April 3, 2019.

the leeway the CAL might have on the decision to which committee a bill is referred to: the topic of the bills must be related to the policy jurisdiction of the committee.

Once a bill reaches a committee, the committee has 45 days to review the bill and to elaborate a report for its first debate on the plenary floor. The committee cannot review the bill in less than 15 days (LOFL Art. 58). The discussion of the bills occurs over time in separate and not necessarily continuous sessions. Each committee has a secretariat from where all the discussions are coordinated and scheduled, and all the reports distributed and filed. The secretariat is *not* a non-partisan technical unit as it is appointed by each committee chair (and changes with each new chair).¹⁴ Before 2008, there were no deadlines for the consideration or reporting of legislation to the plenary floor. When the Executive sends a *proyecto económico urgente* (urgent economic bill), the committee has only 15 days to elaborate a report and Congress only 30 days to vote on the bill, otherwise, the bill is automatically approved.¹⁵

Committees do not formally vote on a bill but instead report to the floor for a first debate.¹⁶ The committee will agree on a *majority* report that includes the recommendations and observations expressed by interest and citizen groups, as well as the recommendations and observations made by committee members. Members

¹⁴One of the major limitations of the official documents archived in the Congressional Archive is the absence of rules for the elaboration of committee reports. While the *Secretaría Técnica* follows a strict format for all the documents they produce, the reports produced by the committees follow a rough outline but will depend on the secretary in charge. This reveals, in a way, one of the broader consequences of a legislature marked by ever-changing rules, limited and politicized (technical) resources, and inadequate capacity.

¹⁵The deadline for a *proyecto económico urgente* to be voted has varied since 1979. Initially, the Executive could send “urgent” bills on any topic and Congress only had 15 days to vote on them.

¹⁶The *Secretaría Técnica* assists legislators in screening bills for potential defects of form and substance.

who disagree with the report can also attach a *minority* report to the bill, explaining their position. This first report, as well as the bill, are not necessarily voted the first time they reach the plenary floor. Instead, legislators can make additional observations to the bill before it returns to the committee for a second report. Only with an absolute majority can the plenary reject the bill during its first debate. This usually occurs if the majority report is negative.

Once the bill returns from the floor, the committee has an additional 45 days to review the bill and elaborate a report for the second debate. Again, a second majority and, if needed, a second minority report is attached to the bill. In addition to the report, the bill dossier will include the committee version of the proposed bill, and all ancillary material, which are made available to all legislators. The president of Congress—also the chair of the CAL—will schedule, at her discretion, a second debate on the plenary floor. On the plenary floor, the bill will be debated a second time, during which new changes can be included. The plenary can reject the majority report and acknowledge the minority report, but only with the support of two-thirds of plenary attendees. Bills can be voted on as a whole, by section, or by article. Bills can also be voted down as a whole, by section, or by article. At this stage, a simple majority is sufficient for any decision.

If the bill is approved by the plenary floor, it will be sent to the executive, who can sign it into law (*sancionar*), partially veto the bill (*objeción parcial*), or veto the bill (*objeción total*). A partial veto will return the bill to the plenary with modifications from the executive to be approved (by simple majority) or rejected (by a two-thirds majority), in which case the original text is published. If the president

vetoed the bills, it will be archived and can only be treated again after a year. After a year, the original project can be ratified by the legislature with an absolute majority.

In each stage, a smaller sample of bills successfully advances. Close to 68% of all bills presented will never be discharged from committee.¹⁷ A third of those will not reach the plenary floor for a second debate. In the end, only 16% of all bills presented will be sanctioned into law. In a later chapter, I will analyze the effect of interest groups on success in committees and success on the plenary floor. For now, it is important to note that the process by which a bill becomes a law leads to most bills failing to make it to the next stage. As we will see in the next section, the institutional rules have been thoroughly reformed, yet the legislative sequence of a bill has remained constant.

3.5 Committees, debates, and their organization

The Ecuadorian Congress has gone through several institutional changes in the midst of economic and political crises. As Freidenberg (2006) describes it, “rather than the absence of rule of the game, Ecuador has gone through a constant change of the rule.” (p. 250) Since 1979, reforms have changed the electoral rules, party rules, legislative rules, and the Constitution (twice). All of these institutional changes were a consequence of and had a consequence in politics, but the general consensus is that they did not improve the conditions for adequate representation or governability (Conaghan, 1995; Mejía Acosta, 2002; Pachano, 2004; Freidenberg, 2006). A recount

¹⁷This includes bills that were *cajoneadas*, kept “in the drawer”, by the CAL (most common), by the respective committee, or bills that were reject based on technical aspects.

of the most relevant changes of the last 40 years can be found in Table 3.1.

<i>Year</i>	<i>Reform</i>
1983	Legislative and executive periods reduced from five to four years. Midterm elections for provincial legislators (every two years).
1994/1995	Immediate reelection approved for all elected positions, except for the president. Movements allowed to participate in elections.
1998	New Constitution ¹ Committees increased from 4 to 16. Committee assignments extended from one to two years. Seats in Congress increased from 82 to 121. ²
2000	D'Hondt method for allocation of seats adopted.
2002	D'Hondt method ruled unconstitutional. Imperiali method (proportional representation) adopted.
2008	New Constitution ¹ Committees decreased from 16 to 12. All the names and topics of committees revamped.
2012	D'Hondt method for allocation of seats adopted, again. Two-year term limit imposed to all elected positions.

¹ The two major constitutional reforms in Ecuador catered to different interests, elites, and political processes (for contrasting accounts, see Becker, 2011; de la Torre, 2013; Conaghan, 2008; Radcliffe, 2012). Even though some of the gatekeeping prerogatives of legislators were stripped from the 1998 and 2008 constitutions, and both supported extensive executive powers, the general sequential organization of the legislature was maintained.

² In 1979 the Ecuadorian Congress had 70 seats, but a provision in the electoral law required that the number of seats would increase with population. This provision has been maintained.

Table 3.1: Important Institutional Reforms in Ecuador, 1979-2018

Despite the many institutional and constitutional changes in Ecuador and the Ecuadorian Congress, the general sequential organization of the legislature has been maintained, as well as the main pillar on which political power rests: legislative blocs (*bloques legislativos*), and committees. Legislative blocs are formed by at least 10% of the seats in Congress and comprise one or multiple parties (art. 128, CPE 1998; art. 124, CPE 2008). Blocs determine the distribution of political power in

the legislature: memberships to the CAL are divided among blocs, the position in a political trial had to be presented by a bloc (until 2008), bills need the support of a bloc (or at least 10 legislators), and the size of blocs determine who is elected as president and vice-president of Congress. The CAL (*Comisión Administrativa Legislativa*)¹⁸, an administrative-like committee, plays a central role in the organization of Congress. The president of Congress also holds the chairmanship of the CAL. The CAL will determine the agenda for the legislative period (2 years). It can change the order of the day and determines the order in which legislators will speak during plenary debates. Before 2008, a member of a bloc would propose a list of legislators for each committee, and this list would be voted by the plenary. As of 2008, the CAL is also in charge of assigning legislators to committees and electing the corresponding chairs.¹⁹ One of the most important roles of the CAL is assigning bill initiatives to the appropriate committees. Unlike similar bodies in other legislatures, the CAL is not a technical committee, but it is informed by a technical unit that writes a report on every bill and makes a non-binding suggestion to the CAL on whether a bill must be approved or not, and to what committee it should be assigned. Yet, it is as a gatekeeper that the chair of the CAL exercises most of her agenda-setting power. The chair of the CAL can deny the advancement of any bill on technical (legal or formal) grounds and, more often, can “*cajonear*” a bill initiative before it even reaches the committee.

Once legislators chair a committee, their prerogatives are ample. The commit-

¹⁸Before 1998, the CAL was known as the *Comisión de Mesa*

¹⁹Each legislator sends a list of preferred committees and the CAL will evaluate to which committee each legislator is assigned based on these preferences. Yet, the preferences are only that, preferences. It is the CAL who decides who is going where.

tee has 45 days to review the bill and elaborate a report for the first plenary floor debate, and it can extend the period by 10 days.²⁰ These timelines are, in practice, a fiction. Chairs control the schedule of committee meetings and the time during the meetings. It is often the case that during a legislative period there are more bills entering the committees than time to debate them. Legislators and legislative staff confirmed that chairs (strategically) change the order the bills are debated, and can effectively block bills from being debated at all.²¹ These accounts are corroborated by the data. There are more bills approved by the CAL than bills exiting from committees to the floor.²² In general, the legislative organization and rules are particularly favorable to parties with gatekeeping authority at the committee level. Since there are no explicit rules on how committee chairmanships are allocated, large parties enjoy a significant premium in committee chairs even when seat differences are small, as shown in Figure 3.2. This condition is particularly relevant in the Ecuadorian political context, where only one party after 2008 has won a majority of seats in Congress. The gatekeeping authority is decentralized to party members, usually party leaders, who control important committee posts, endowing large parties with institutional resources to screen unwanted legislation in their respective jurisdictions, e.g., the tributary, social security, constitutional affairs committees, etc.²³

²⁰No specific timetable for standing committees is found in the legislative rules before 2008.

²¹Interview with Gabriela Larreátegui, Congresswoman of the *Asamblea Nacional del Ecuador*. October 19, 2018; interview with Congressional Staff Member 2. October 20, 2018.

²²Procedural rules require that all bills approved by the CAL are reviewed in committees and sent to the plenary floor. We should see the same number of bills approved by the CAL than bills exiting from commissions to the floor.

²³Note, however, that decentralized gatekeeping authority at the committee level may result in divisive legislation that is not unanimously supported by all senior partners of the party being discharged to the floor. Committees might have preferences that differ from the floor or they might

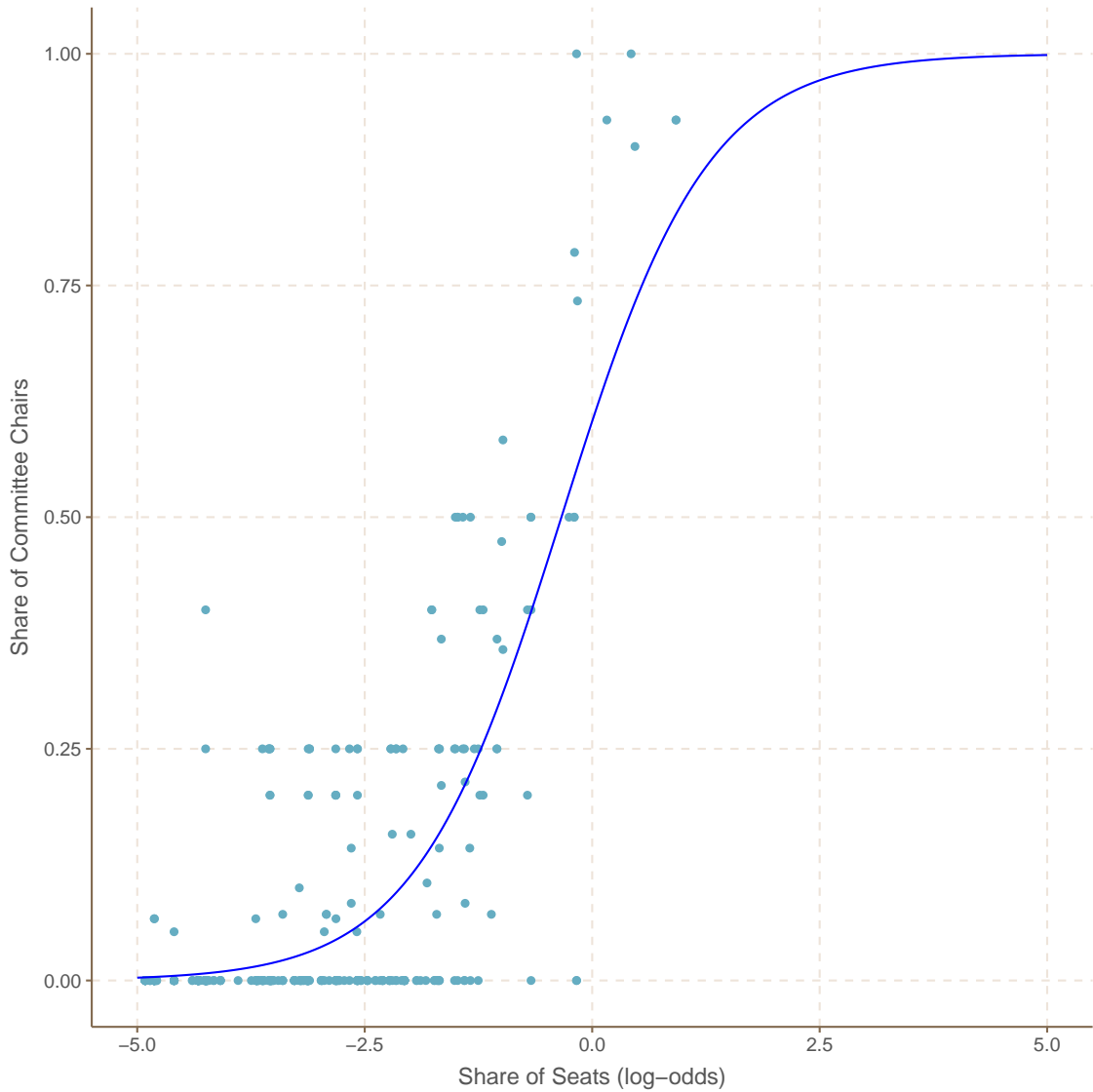


Figure 3.2: Majoritarian bias in the allocation of committee chairmanships. Estimated using a general linear (binomial, N) with logistic link. Dependent variable is the share of chairs controlled by each party bloc. Independent variables include the log transformed share of party seats (King, 1990) and the effective number of legislative blocs (Calvo, 2009).

As previously described, the number of standing committees has varied across time, and so have the number of legislators assigned to each committee (see Figure 3.3). With only four committees between 1979 and 1998 and limited seats in each committee, there were legislators that never served in one. This means that committee membership and key positions in these committees were valuable, often assigned to high ranking members within the party—who were, at the same time, less likely to dissent—. For example, the average tenure of a committee member was longer than the tenure of a non-committee member in 60% of the periods²⁴; national legislators were almost twice as likely to be committee chairs than state legislators.²⁵ Once the number of standing committees was expanded, all members were able to participate in a committee, but the importance of the four original committees (i.e. Civil and Penal, Tributary, Economic, and Labor) and the CAL remained. Members of the plurality party were 2.5 times more likely to be assigned chairmanship of these committees than members of the rest of parties.

Parties will strategically stack committees, favoring committees addressing the issues they own.²⁶ Historically, traditional parties on the left have been linked to

pay attention to issues on which no senior party member has previously expressed a preference (Sheingate, 2006). Yet, as previously mentioned, the CAL has ample agenda-setting prerogatives, creating a first filtering mechanism. And even when the committee chair abides by the mandatory times, the president of the legislature can always postpone the debate of the bill on the plenary floor.

²⁴This is a particularly high number if we keep in mind that between 1979 and 1996 there was no immediate reelection for legislators. Note that the tenure is from non-consecutive terms.

²⁵National candidates were often on top of the list and were chosen from the party leadership. National candidates were competing for a four-year term vis-à-vis a two-year term from state candidates, but only 15% of seats were assigned to national candidates. In a legislature with high turnover rates, like the Ecuadorian, a guaranteed longer tenure in Congress was desirable.

²⁶Measuring issue ownership is not straightforward as there is no established way of determining which issues are owned by which party. In the United Kingdom and the United States, there are detailed surveys that ask respondents which party is most competent at dealing with each of a series of issues (Green 2011; Sides 2006). Instead, for this descriptive section, I link issue ownership to party families, as historical cleavages are often closely related to issue ownership (De Ridder

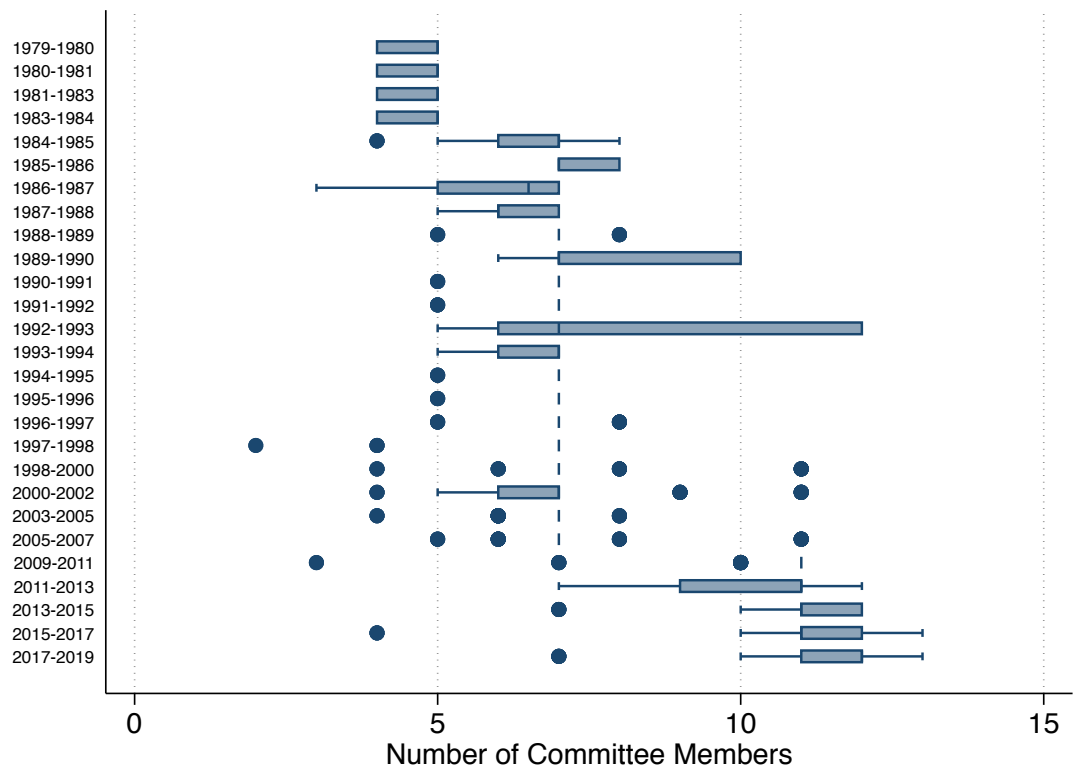


Figure 3.3: Box plot describing the number of committee assignments per representative, 1989 - 2019. Box describes the 25th to 75th quantiles, with median observation described by a solid line. For many legislative periods, the number of committee assignments was constant and homogeneous.

topics of labor and parties on the right to issues of commerce (Mejía Acosta, 2003). Movements and parties founded during the 1990s and 2000s as part of the institutionalization of the indigenous social movements were easily linked to indigenous issues. This characterization matches how parties stack their members in committees. From Figure 3.4, the trend is suggestive, though it varies across periods. Between 1979 and 2008 (panel A), leftist parties place most of their members in the Labor committee (e.g. MPD), while parties on the right stacked the Economic committee (e.g. PSC). Indigenous political parties, like the MUPP-NP, concentrated their members in committees dealing with indigenous and regional affairs. Given the expansion of the number of standing committees after the Constitutional reforms of 1998, there was a slight spreading out of members across committees. For parties with a larger share of seats, the allocation of committee chairs, usually negotiated among the larger party blocs, is also telling: the ID (left) focused on the Labor committee, while the PSC (right) preferred allocating chairs in the Economic committee. After 2009 (panel B), the majoritarian party AP had a motivation to spread their members across all committees, obtaining simple majorities in all of them and controlling the flow of most legislation. The rest of the parties had to be content with whatever was left over.

Chairs also control who participates in committee debates. In Ecuador, any legislator can invite an interest group to participate in committee debates. Constitutionally, every citizen has the right to participate in committee debates, and each committee must hold *socialización* forums where bill initiatives are discussed with and Kleinnijenhuis, 1998; Wagner and Meyer, 2014).

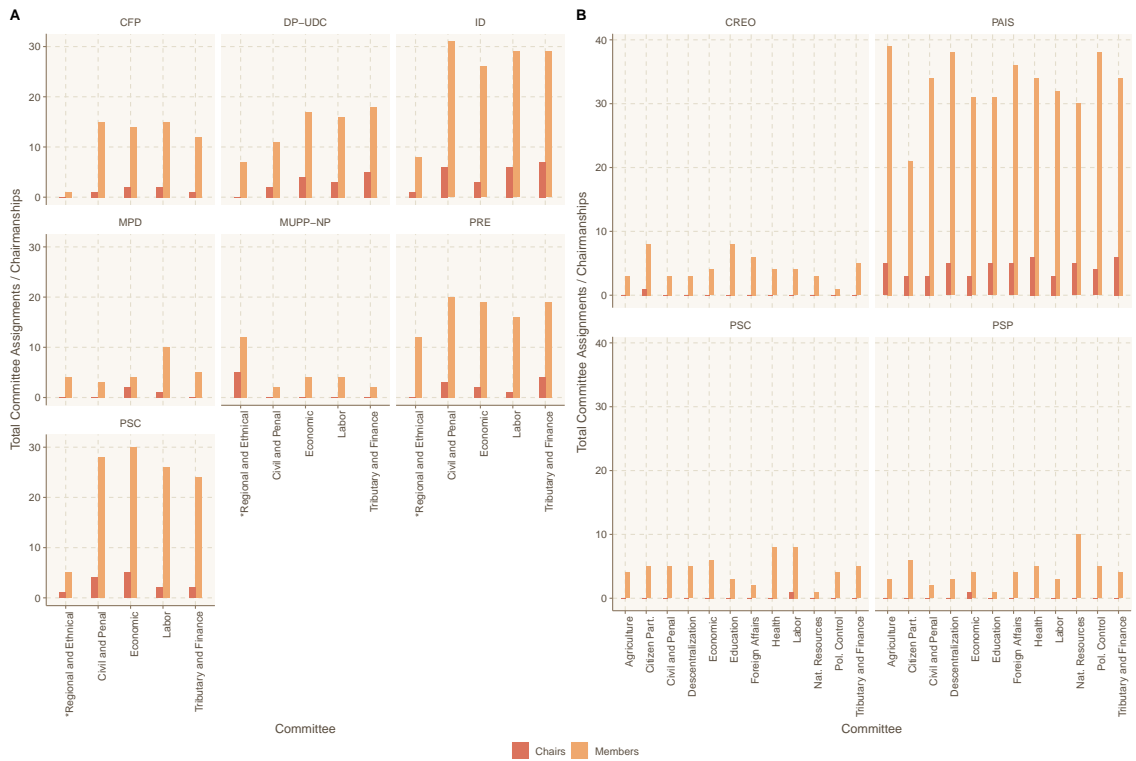


Figure 3.4: Number of committee assignments and committee chairmanship by selected parties, from 1979-2007 (Panel A) and from 2008-2019 (Panel B). Committees changed in name after the Constitution of 2008. *Note that the indigenous and territorial affairs committees were added only after 1998.

interested parties. But within their scheduling control, committee chairs have an *implicit* power to decide who can participate in committee debates. So, while chairs have a legal obligation to grant interest groups time in committees, in practice this is not always the case. By changing the order of the day, committee chairs can postpone participation of interests groups until time runs out. Interviews with legislative staff confirm that this is common practice, though how common a practice it is hard to know. It is also hard to know how much can a chair get away with. If there are time slots to fill, other committee members will push to have an interest group they support receive or occupy that time. Despite these instances, there are enough circumstances where the discretionary power of the chair is capable of limiting access to debates. Even the *socialización* forums are controlled spaces managed by the office of the committee chair. While the lists of possible forums are compiled by a technical team from the Ecuadorian Congress, committee chairs have to give their final approval. Ultimately, the only valid invitation is the one the committee chair accepts.²⁷

3.6 Guests in and outside committees

In Ecuador, the interactions between interest groups and policymakers are most commonly carried out in informal venues. Lobbying is mostly unregulated in Latin America,²⁸ and there is no law addressing it in Ecuador. Yet, there are conver-

²⁷Interview with Congressional Staff Member 1 of the *Asamblea Nacional del Ecuador*. March 25, 2019.

²⁸México, Perú, and Chile are the only countries in Latin America where lobbying is explicitly regulated. The first country to regulate lobbying activity was Perú in 2003, although the actual law has come in conflict with the barriers imposed by the Peruvian legislation. Mexico approved

sations and negotiations between interest groups and policymakers that, while legal, are not registered or observable. As previously described, the *Cámara de Comercio de Quito* (Chamber of Commerce of Quito) routinely holds informative meetings with public officials at different levels and branches of government; a former Ecuadorian minister of *Coordinación de la producción, empleo y competitividad*, a secretary in charge of coordinating topics of production, employment, and competitiveness, held regular meetings with representatives of different sectors and organizations, both to clarify the position of the government and to receive input about new legislation being proposed or needed. The examples are context-specific, but they help illustrate some of the consequences of unregulated lobbying. First, there is no legal definition of what constitutes lobbying, or who is a lobbyist. Are the meetings and workshops held by the *Cámara de Comercio de Quito* lobbying? Is asking for a meeting with a secretary of state to discuss policy lobbying? Second, the legal lines between policymakers and lobbyists are blurred, even for them.²⁹

In their interviews, legislators and interest groups representatives were open about informal meetings to discuss bill initiatives. All of the legislators interviewed agreed that the lack of regulation regarding lobbying made interactions with interest groups complicated. They justified their meetings with interest groups normatively: a necessary approach to their constituents. They also acknowledged the possible negative reaction a meeting between policymakers and interest groups could generate. Yet, most legislators also agreed that the public perception of these meetings, regulations for lobbying activity in 2010, while Chile did so in 2014.

²⁹The lack of regulation and/or records is one of the main reasons why it is hard to systematically study interest groups.

associated with corruption or cronyism, was only a problem if there was, indeed, some morally questionable exchange.

It is not surprising that the informal interaction between interest groups and legislators was necessary for the ongoing discussions and negotiations of a bill. As suggested by the executive president of the main association for producers of food and beverages in Ecuador, “we move simultaneously in a formal and informal setting [...]. Informal meetings get you access and a ballpark agreement, formal [venues] allow us to validate what we propose.” Many of the interviewees agreed that most of the “action” took place outside the formal setting of the Ecuadorian Congress, while admitting that invitations to the committee were, to them, a form of legitimization of the agreements discussed in private.³⁰

To gain access to a committee, it is more common for interest groups to be actively pressuring legislators than it is for committee members to seek groups to participate in committees. In the next chapter, I will detail the evolution of interest groups as organizations, but for now, it is important to note that there has been a professionalization of interest groups in Ecuador, especially of traditional groups representing commerce and finance. This professionalization has also changed the interaction between interest groups and legislators, and the mechanisms used to gain access. Beyond the informal agreements described above, interest groups maintain constant communication with legislators (and the office of the legislators).³¹ Interest

³⁰This was a common theme across all interest group representatives.

³¹Interview with Pabel Muñoz, Congressman (Committee Chair) of the *Asamblea Nacional del Ecuador*, October 23, 2018; Gabriela Larreátegui, Congresswoman of the *Asamblea Nacional del Ecuador*. October 19, 2018; Julio José Prado, Executive Director of the *Asociación de Bancos Privados del Ecuador* (AsoBanca). October 23, 2018; Ramiro Viteri, Executive Director of the *Asociación de Administradoras de Fondos y Fideicomisos del Ecuador* (AAFFE). October 23, 2018;

groups, especially those with more resources, have teams collecting and organizing information that they are constantly feeding the (relevant) legislators, as part of the mechanisms that build and cement networks, which are important when “invitations” for the discussion of a bill are sent out. This was not always the case. One interviewee who worked through the professionalization period of interest groups described how the current formalities were not so in the early 2000s. She suggested that access was often times conditional on informal ties (i.e. family ties, social ties, or business ties) and while there is still much of this behavior present, there has been a change towards formalizing the channels to gain access to legislators. “My partner and I would sit outside conference rooms where committee debates were being heard, waiting for legislators to exit [...] and follow them with some documents we had put together trying to get their attention about possible reforms to the [topic we represented]”, she explained, then adding, “nowadays we would have tried the more formal channels, probably badgering the legislator’s office, rather than the legislators himself.”³² On their part, legislators will also request the participation of interest groups, experts or government agencies. This can be done either individually or as an invitation from the committee as a group. According to legislative staff, it is only in rare occasions that an invitation would be turned down, regardless of whether the guest was from a government agency or the private sector.³³ In both

Patricio Aspiazu, President of the *Cámara de Comercio de Quito* (Chamber of Commerce of Quito). October 19, 2018.

³²Mónica Villagómez, President of the Board of Directors of the *Bolsa de Valores de Quito* (BVQ). October 18, 2018.

³³According to staff at the Ecuadorian Congress, more common than turning down an invitation from a commission was sending a lower ranking member from the invited organization. For example, members would react negatively if the director of the IRS was invited, yet she sent an assistant on her behalf. Interview with Congressional Staff Member 1 of the *Asamblea Nacional*

cases, when groups are looking to gain access and when legislators invite groups to participate, the final decision is made by the committee chair.

Once inside the committee, the debates resemble a spectacle. As described in chapter 2, interest groups are fully aware of the performative nature of committee debates. Committee debates are usually held in large conference rooms, with space for non-participating guests and the media. According to congressional staff, media presence is constant, even though the number of outlets present would vary from topic to topic. In their interviews, interest group representatives suggested using media as a strategy to pressure legislators,³⁴ so the presence of the press had many sources: the exogenous salience of the topic, the salience created by interest groups, and the salience created by legislators. In addition to interest groups, common committee guests are legal specialists, citizen groups, and representatives of state agencies. Once the speeches start³⁵, one member from each legislator's team is usually ready to take pictures when it is the legislator's turn to speak.³⁶ Legislators who are not members of the committee can also request to participate in the debates. The committee chair will conduct the meeting, with the committee secretary (a staff member appointed by the committee chair) reading the order of the day, the guest

del Ecuador. April 1, 2019

³⁴Interview with Christian Walhi, Executive President of the *Asociación Nacional de Fabricantes de Alimentos y Bebidas* (ANFAB). October 15, 2018; Patricio Aspiazú, President of the *Cámara de Comercio de Quito* (Chamber of Commerce of Quito). October 19, 2018. Julio José Prado, Executive Director of the *Asociación de Bancos Privados del Ecuador* (AsoBanca). October 23, 2018.

³⁵I refer to the intervention of legislators as “speeches” though, technically, they are spaces for legislators to comment on the bill initiatives and ask questions to participants, including guests.

³⁶Legislators can have a team of four staff members (committee chairs have an additional team that helps them with the organization of the committee). Staff members are usually tasked with political coordination, media relations, and scheduling. There are few resources dedicated to policy research, and that information usually comes from the party leadership, government agencies or party allies (e.g. policy research institutes or interest groups).

list, and the scheduled participation of interest groups. Committee members will request time to speak, and the speeches will resemble the speeches in the plenary floor in form and substance: expository rather than interactive. Contrary, guests will bring prepared material to present in the committee. Many interest groups representatives complained about the limited attention committee members gave to their presentations. Anecdotal observation of committee debates confirms this behavior, as many legislators were often in their phones, working in their computers, talking to their staff, or talking among each other. Committee members will then have a chance to ask questions to guests and request additional information. Those who request time to ask questions will usually use the opportunity to deliver another speech, rarely addressing the guest directly, though using their question as a segue. After all, the questions and information required can always be obtained in private. There are legislators that take this time to engage with guests, and chairs seem to abide more closely to the spirit of the committee debates than the rest of members. Yet, the most common behavior is to gain additional floor time rather than to engage with the guests. Once the allotted time to discuss a bill has passed, the chair will end the meeting. Chairs have the discretionary power to stop short or extend the time a discussion lasts (within a reasonable time frame), as well as the capacity to have invited guests not participating.

3.7 From committees to the floor

As described above, legislators do not vote on bills at committees. Rather, the committee is in charge of the elaboration of a report on the bill, detailing the input from different participants (e.g. other legislators, government agencies, interest groups, experts, etc.), the motivation for the proposed changes to the bill, and a draft of the modified bill. A majority of members have to agree on this report (known as the majority report) before it can be discharged to be voted on the plenary floor. Additionally, any member can attach a dissenting report, known as the minority report. The committee can also send a report suggesting a bill be voted down, even though this is less common. Of the bills that reached committee, only 9% of the time did the report suggest the bill should be voted down, compared to 17% of the time bills were *cajoneados* by the committee chair. Once a report has been discharged from a committee, the president of Congress will schedule a vote on the plenary floor. This first vote will only stop a bill from going forward with an absolute 2/3 majority. Otherwise, the bill will return to the original committee,³⁷ where a second report will be agreed upon and sent to the plenary floor for a second time where it needs a simple majority to be approved (and sent to the executive).

The activity of committees will vary across topics and periods. Table 3.2 includes descriptive information that ranks committees in the Ecuadorian Congress by the number of bills that were assigned to each committee by the CAL, detailing the percentage of bills successfully discharged to first and second debate in the plenary

³⁷Again, if the chair wants to stall the advancement of the bill at this point, she has the ability to do so.

floor. Committees dealing with civil and penal law are, overall, the busiest. Note, however, that bills entering these committees are usually reforms or interpretations to specific articles. Beyond that, committees discussing topics of labor and social security have historically been the most active, followed closely by committees addressing economic and tributary matters. The level of activity does not necessarily equate to importance. For example, committees addressing constitutional reforms are highly regarded but, by construction, less active.

Committees will also vary on the time it takes them to discharge legislation to the floor. Between 1979 and 1998, the median time it took a bill initiative from its presentation to being discharged to the plenary floor for first debate was 113 days, compared to 21 days that took for a bill to get from the first debate to the second debate. Between 1998 and 2008, the time from presentation to first debate increased to 195 days, and from the first debate to the second debate to 105 days. Since 2009, it takes 153 days from presentation to the first debate and 101 days from first to second. In general, bills sent by the executive move faster across the legislature, especially bills going to the Tributary committee and the Commerce committee.

Once a bill is discharged to the floor, the president of Congress will schedule a debate and a vote. Before the start of a plenary meeting, the president will check if there is the necessary $2/3$ quorum. The committee chair will first summarize the committee report, and then the president will open the floor for comments and requests for modifications to the bill. It is within the powers of the president to extend or limit the debate, and call for a roll call vote at any point. Before 2008, there was no electronic device to record the votes and there is no official log of the

Committee Ranking, 1979-1997					
<i>Ranking</i>	<i>Committee</i>	<i>Bills (%)</i>	<i>Bills</i>	<i>First (%)</i>	<i>Second (%)</i>
1	De lo Laboral y Social	0.42	539	0.39	0.37
2	De lo Civil y Penal	0.28	361	0.25	0.24
3	Economico, Agrario, Industrial y Comercial	0.17	224	0.16	0.15
4	Tributario, Fiscal, Bancario y de Presupuesto	0.13	175	0.12	0.12
Total		1.00	1299	0.92	0.88

Committee Ranking, 1997-2008					
<i>Ranking</i>	<i>Committee</i>	<i>Bills (%)</i>	<i>Bills</i>	<i>First (%)</i>	<i>Second (%)</i>
1	De lo Civil y Penal	0.25	186	0.24	0.19
2	Gestión Pública y Seguridad Social	0.12	88	0.12	0.05
3	De lo Laboral y Social	0.11	83	0.11	0.08
4	Economico, Agrario, Industrial y Comercial	0.10	78	0.10	0.08
5	Educación, Cultura y Deporte	0.10	73	0.10	0.07
6	Tributario, Fiscal, Bancario y de Presupuesto	0.09	70	0.09	0.08
7	Salud, Medio Ambiente y Ecología	0.06	45	0.06	0.05
8	Descentralización y Desconcentración	0.06	43	0.06	0.05
9	Asuntos Constitucionales	0.03	19	0.03	0.01
10	Asuntos Amazónicos	0.02	17	0.02	0.01
11	Defensa del Consumidor y Contribuyente	0.02	14	0.02	0.01
12	Desarrollo Urbano y Vivienda de Interés Social	0.02	13	0.02	0.01
13	De la Mujer, el Niño, la Juventud y la Familia	0.01	11	0.01	0.01
14	Asuntos Indígenas y Otras Etnias	0.01	5	0.01	0.01
15	Asuntos Internacionales y de Defensa Nacional	0.00	3	0.00	0.00
Total		1.00	748	0.99	0.71

Committee Ranking, 2009-2018					
<i>Ranking</i>	<i>Committee</i>	<i>Bills (%)</i>	<i>Bills</i>	<i>First (%)</i>	<i>Second (%)</i>
1	Justicia y Estructura del Estado	0.29	267	0.24	0.10
2	Derechos de los Trabajadores y la Seguridad Social	0.13	114	0.10	0.04
3	Educación, Cultura, Ciencia y Tecnología	0.10	94	0.09	0.04
4	Desarrollo Económico, Productivo y la Microempresa	0.09	87	0.08	0.03
5	Régimen Económico y Tributario y su Regulación y Control	0.09	81	0.08	0.04
6	Gobiernos Autónomos y Descentralización	0.08	69	0.07	0.04
7	Derechos a la Salud	0.05	46	0.04	0.02
8	Soberana, Relaciones Internacionales y Seguridad Integral	0.04	36	0.03	0.01
9	Participación Ciudadana y Control Social	0.04	36	0.04	0.02
10	Derecho Colectivos	0.04	36	0.03	0.01
11	Biodiversidad y Recursos Naturales	0.03	26	0.02	0.01
12	Soberana Alimentaria y Desarrollo Agropecuario	0.03	26	0.02	0.01
Total		1.00	919	0.86	0.37

Note: The variable “Ranking by Bill” is measured by estimating the aggregate number of referrals by committee for the entire period. The activity of some standing committees changed significantly over the years. For the change of ranking across time, see Appendix A.

Table 3.2: Committee Ranking in the Ecuadorian Congress, 1979-2018

votes. This worked in favor of legislators who would publicly take a position on an issue, but vote differently (Acosta Mejía et al., 2006).

3.8 The “fine print” in action

When interest groups are invited to committees, they are particularly cognizant of the importance of addressing the “fine print” of policy, as well as the broader picture. The former president of the board of directors of the *Bolsa de Valores de Quito* (Quito Stock Exchange) said that “as an organization, [in the Quito Stock Exchange] we have always been vocal in our position on financial regulations [...], and when the *Código Orgánico Monetario y Financiero*³⁸ was being debated we expressed our concerns about its technical flaws [...] and the effect it would have on [the Quito Stock Exchange]. We made our opposition clear.” Regardless, when asked about the effect of their participation in the debate of the same bill, she pointed out that “we pushed for the modification of certain articles of the law [...]. In the end, I would say we got around 80% of the changes we proposed.” The chair of the Tributary committee confirmed this behavior from interest groups, annoyed, in part, by the lack of a “general to particular” view of policy. “Most [interest groups] are only concerned with whether the tax exemption for new businesses should be for 3 years or 5 year or 7 years [...]. There are no [groups] that make claims about the spirit of the bill or their preference for certain policy in the context of a broader view of the state.” A contrasting view was expressed by the president of Asobanca

³⁸The *Código Orgánico Monetario y Financiero* is a law regulating the activities of financial and fiduciary institutions in Ecuador. It was initially proposed by president Rafael Correa in 2014 and was signed into law the same year.

(Bank Association), who confirmed their interest in specific articles, but as a result of “no openings [in the policy-creation process] to do otherwise.”³⁹

As an example of how interest groups and other participants approach bills in committee, we can look at the report on the *Proyecto de Ley del Código Orgánico para el Equilibrio de las Finanzas Públicas*, an urgent bill sent by the executive to expand tax collection and create economic incentives to the use of electronic currency. There were around 40 interest groups that were invited to participate, in addition to 25 legislators and representatives of government agencies that presented observations. Most legislators made observations on the conceptual and general aspects of the bill: the motivation of the bill, the justification for the changes in legislation, and the previous policy decisions made by the government that leads to the need of a bill of these characteristics. There were extensive explanations on the possible consequences of the bill on the local industry and on alternative policies to the one presented. Legislators supporting the bill argued it was a proper policy instrument within a broader economic plan. At one point, a legislator stated: “[...] It is worth considering whether or not Ecuador has an excessive tributary burden and cannot further advance in redistributive justice”.

Interest groups, on the other hand, focused on micromanaging policy. For example, the *Cámara de Industriales y Empresarios de Cotopaxi*, the Chamber of Commerce of Cotopaxi (a province), wanted to have the tax exemptions given to

³⁹The former president of the board of directors of the *Bolsa de Valores de Quito* had a more critical opinion about the approach taken by interest groups to address policy. She argued that “interest groups do not have a national project or a long-term plan. [Interest groups] are reactive and short-sighted, and often prefer to negotiate individual benefits.” She concluded by stating that “[interest groups] often take the role of victims.”

artisanal beer extended to the artisanal spirits produced in Cotopaxi. Or the representative of the *Cámara de la Construcción*, Chamber of Construction, who requested for the bill to specify that government contracts will be paid in January and not October. Each group presented their position differently: some came with statistics from the industry they represented, some with microeconomic analyses of the effect of the bill on employment, and others repeating a position that had been made public in the media. Most interest groups representing capital openly opposed the bill as a whole, something they made clear in their interventions, but at the same time addressed specifics of the bill. For this debate, the only group that presented a general position vis-à-vis the spirit of the bill, accompanied by an alternative solution, was the *Instituto de Economía de la Universidad San Francisco de Quito*, an economic policy center from a (private) university.

As is to be expected, not all the proposals were accepted by the committee, but all of them were eventually discussed. Committee members will discuss the bill article by article, and will usually bring up any changes suggested by interest groups. The dynamics of committee debates lend themselves for a “fine print” approach by interest groups. Once committee chairs start a discussion on a bill, more often than not the bill will be eventually discharged to the floor. While there are groups that participate to solely show their support for a bill or to solely show their opposition to a bill, there are no marginal gains for the group from a bill that will be approved or voted down based on a series of political determinants that they cannot affect. Interest groups are not disingenuous about their capacity to influence policy. Thus, they will also cater to specific elements affecting their group, and while as a class

or a sector they might have shared preferences, obtaining benefits for their own industry is a priority.⁴⁰

3.9 Conclusion

The sequential organization of the Ecuadorian Congress endows committee chairs with ample agenda-setting prerogatives. The gatekeeping authority of chairs allows them to control the passage of bills *and* the participation of interest groups. Parties will strategically fill committees, prioritizing the ones addressing issues they own. Despite the fragmentation of the Ecuadorian party system, and the institutional reforms to the legislature, the gatekeeping positions, and their importance have remained relatively stable across time. Gatekeepers use their power strategically, blocking legislation from reaching the floor and controlling the participation of interest groups in committee debates.

Committee debates are performative in nature, a place where legislators play for the audience (e.g. media). The politics of these performances are important, for members of Congress can benefit from the increased salience. The rise in importance of a topic can lead to increased exposure and the electoral gains of owning a salient issue. The latter, particularly important to determine when will gatekeepers open the doors of committees to interest groups, an effect tested in Chapter 5. In this process, interest groups participate in committees, presenting their general position

⁴⁰There was a strategic division of labor among interest groups sharing preferences. “Umbrella groups” like the *Comité Empresarial Ecuatoriano* (CEE) represent productive, commercial, and construction associations, and coordinates among these sectors to provide a general position of capital vis-à-vis policy. But each association will also cater separately to the interests of their own sector, often addressing specific laws that go beyond the competence of the CEE.

vis-à-vis the policy being modified by the bill initiative, but often looking to change the “fine print”. Interest groups are cognizant of the intricacies of policy creation and will hedge their efforts by aiming to micromanage policy, focusing on specific articles or provisions.

The description of the Ecuadorian Congress sets up the context where we can analyze, empirically and in further detail, the strategic choices legislators with gatekeeping authority make when they decide whether to invite interest groups or not. The performative characteristics of committee debates lend credence the use of interest group participation as a mechanism to raise the salience of certain issues.

Chapter 4: Interest groups in the Ecuadorian Congress

4.1 Introduction

Our theory suggests that committee chairs will invite interest groups to raise the salience of issues they own. In the previous Chapter, we described the sequential organization of the Ecuadorian Congress, the inner workings of committee meetings, and the participation of interest groups in those meetings. Although gatekeepers ultimately decide when to open the gates, interest groups have their own motivations and preferences. We made the initial assumption that interest groups have a constant incentive to attend committee meetings. None of the particular motivations is a necessary condition for our theory, but there must be a motivation to attend. In the following sections, I briefly recount the history of interest groups in Ecuadorian politics and their relation to the policy-making process. Drawing from interviews with interest group representatives, I explore how interest groups motivate their participation in committee debates. Finally, I describe the participation of interest groups in the Ecuadorian Congress across time and committees.

Interest groups have close historical ties with parties and politicians and have influenced election and policy outcomes. The presence of certain groups, particularly economic groups, in the legislature is closely linked to these historical ties. Yet,

the networks established between interest groups and politicians have been mostly informal, relating back to family or business connections. The importance of the informal networks has been relatively consistent across time, but the status of interest groups changed after the 2008 constitutional reforms rescinded mandatory membership. The consequence was a push towards the professionalization of interest groups—including their relationship with politicians—and the appearance of new ones.

The professionalization of interest groups also pushed towards more technically-oriented groups. Representatives of interest groups often suggested that one reason to attend committees was to present information to legislators. They also perceive the invitation to committee meetings as mechanisms of legitimization and accountability; a public manifestation of a legislator's commitment to what was agreed in private. For interest groups, bringing media outlets was part of the strategy to keep politicians honest.

Beyond the motivation to attend committee debates, who gets invited to the committee and how often they get invited varies in time and by interest group category. Representatives of academic institutions, for example, are the groups more often invited to committees. The economic clout of an interest group also has an effect on who gets invited. The media salience of economic groups is contingent on their economic clout (Calvo and Ponce, 2013), and committee chairs will look to bank on this. The effect is more clearly seen in the change of interest group participation before and after dollarization in Ecuador (and empirically analyzed in the next chapter).

4.2 A brief history of interest group participation in Ecuadorian politics

The history of interest groups in Ecuador is closely linked to the heterogeneous and fragmented class structure of the country. In the early twentieth century, at the top of the social pyramid were two sets of regional elites differentiated by economic interest. The agro-financial bourgeoisie of the port of Guayaquil clashed with the traditional landowning class of the *sierra* over policy preferences, but in the absence of a strong state, there was no overt attempt of either to dismantle the economic base of the rival. The predominance of both elite groups rapidly created links with political parties, establishing an oligarchical electoral system that, while competitive, was restricted in regard to the franchise. The national producers' associations, like the Chamber of Commerce, Industry, and Agriculture, pushed for the representation of corporate interests, eventually holding seats on policy-making boards inside the government and blocking the political incorporation of subordinate classes.¹ (Conaghan and Espinal, 1990)

The industrialization process of the 1960s brought socio-economic transformations to the country. The dominant class of the *sierra* moved into industrial investments, and the coastal elites flourished thanks to a boom in banana exports. The economic expansion also brought an expansion of urban middle and working classes.

¹The common collective action problems of labor were aggravated by the different economic models dominating the two regions. The coastal export agriculture of Guayaquil was dominated by capitalist relations of production, while pre-capitalist relations persisted in the hacienda system characteristic of the *sierra*. The heterogeneity of the latter was further aggravated by ethnic, linguistic, and cultural cleavages.

The political instability that marked the period eventually ended in a military-based authoritarian regime (1972-1979). The dictatorship was led by economic modernizers, that expanded the size of the state, promoted diversification, and developed infrastructure. The social and class power relations, though, remained unaltered. The lower classes remained unorganized, and the economic power of the elite was not undermined. Essentially, the participation of citizen and interest groups remained “frozen” for the period (Conaghan and Espinal, 1990, p.561). This meant that the channel for the representation of the civil society remained underdeveloped and limited. The only interest groups with effective participation were those representing industrial elites (e.g. Chambers of Commerce), and even their representation was curtailed by then dictator, Rodríguez Lara, who suspended Congress, banned party activity, and barred corporate groups from their positions inside policy-making bodies.

The suspension of business participation from policy decisions was regarded by the business elite as a usurpation of their right to be heard on those matters. The Chambers of Agriculture, Industry, and Commerce mounted a media campaign against the regime, not only accusing it from a lack of favorable policy but also criticizing the exclusion of interested parties, like the Chambers, from the decision making process. Indeed, it was the elites who pushed for a return to democracy as early as 1975. Once the democratic regime was reestablished in 1979, the economic elite embraced the transition as an opportunity to reassert their power within the structures of the state, particularly those overlooking economic policy. Their aspirations were short-lived, when Jaime Roldós, of the leftist *Concertación de Fuerza*

Populares (CFP), won the presidential election. Economic interest groups waged an aggressive campaign against the government, going as far as calling for a coup (Conaghan and Espinal, 1990, p.565). The campaign withered away with the rising prospects of León Febres Cordero becoming president in 1984 backed by the *Cámara de la Producción de Guayaquil* (Freidenberg and Alcántara, 2001).

During this period, labor interest groups gained political prominence, even though their presence in the policy creation process was limited. In 1975 major trade union confederations started coordinating strikes, and during the early democratic regime, unions like the *Frente Unitario de Trabajadores* sponsored various general strikes. Yet, the diversity of the working class in Ecuador, each with its own reality and demands, constrained the political relevance of these groups. The difference between the political clout of labor and capital groups was evident even in cabinet post assignments. While no leader from labor groups was in charge of a ministry during the 1980s and early 1990s, in the government of Febres Cordero a former president of the Chamber of Commerce was tapped as minister of industry, commerce, and integration, while the vice-president of the *Banco del Pacífico*, a private bank, was appointed president of the Central Bank (Martz, 1985).

A new pressure group emerged in the early 1990s as a consequence of the political rise of the indigenous movement. The indigenous peoples of the Amazon and the *sierra* began the process of organization in the 1970s, with the arrival of oil companies (in the Amazon) and the demand of comprehensive agrarian reform (*sierra*). In 1986 both groups came together under CONAIE, the Confederation of Indigenous Nationalities, an umbrella federation. Policy-wise, the CONAIE has pushed for and

obtained important social gains, from bilingual education, land reform (albeit limited), to the eventual recognition of Ecuador as a plurinational state. The CONAIE, as well as other indigenous organizations, have a multi-strategy approach to political participation. They have combined mass mobilization with pressure through the institutional channels of the legislature and formal representation.²

Overall, these three categories (i.e. capital, labor, and indigenous) of interest groups have been the most prominent actors in Ecuadorian politics. Within the legislature, their invitation to committee debates is constant, especially capital and labor groups (see Figure 4.1). The most prominent groups in each category had close ties to political parties, and that is reflected in who is invited more often. Table 4.1 lists the interests groups that have participated most often in committee debates. For capital, besides the *Comité Empresarial Ecuatoriano* (CEE),³ the interest groups named have been actively participating in politics since before 1979. As suggested above, the Chamber of Industry and Production (*Cámara de la Industria y la Producción*) and the Chamber of Commerce (*Cámara de Comercio*) pushed for democratization, help elect a president and, starting in 1998, were instrumental in the dollarization of the Ecuadorian economy (Acosta Mejía, 2009). The same can be said about the CONAIE, an organization that in 1996 founded its political arm, Pachakutik, a party with presence in Congress, in ministerial cabinet positions, and the Ecuadorian Supreme Court.

²*Pachakutik*, a political party with presence in Congress is the political arm of the CONAIE.

³The CEE is a relatively new “umbrella” organization founded in 2004 to coordinate among the different productive, commercial, and construction associations.

<i>Rank</i>	<i>Capital Interest Groups</i>	<i>Labor Interest Groups</i>	<i>Indigenous Interest Groups</i>
1	Cámara de la Producción	Frente Unitario de Trabajadores	CONAIE
2	Asociación de Bancos Privados	FENACOPE ¹	CODENPE ⁴
3	Cámara de Comercio	Federación de Choferes Profesionales	CODEPMOC ⁵
4	Cámara de Agricultura	CONASEP ²	CODAE ⁶
5	Comité Empresarial Ecuatoriano	CEDOC ³	FEINE ⁷

¹ *Federación Nacional de Empleados de Consejos Provinciales.*

² *Confederación Nacional de Servidores Públicos.*

³ *Central Ecuatoriana de Organizaciones Clasistas.*

⁴ *Consejo de Desarrollo de Pueblos y Nacionalidades.*

⁵ *Consejo de Desarrollo del Pueblo Montubio.*

⁶ *Corporación de Desarrollo Afroecuatoriano.*

⁷ *Consejo de Pueblos y Organizaciones Indígenas Evangélicas.*

Table 4.1: Most Invited Capital, Labor and Indigenous Interest Groups, 1979-2018

4.2.1 The professionalization of interest groups.

Despite the political importance of interest groups in Ecuador, the overtly clientelistic party system and the lack of institutionalization led interest groups to pressure (solely) through informal channels or (solely) through informal networks created by family and/or business ties. Interest group representatives from bank associations, exporter associations, and manufacturing associations all coincided on this depiction of the interaction between interest groups and politicians. Yet, three elements pushed interest groups towards professionalization: the Constitutional reform of 2008, a generational change, and the presidency of Rafael Correa.

Interest groups, particularly interest groups representing economic groups, initially answered to a small group of elites. In a small economy, like the Ecuadorian, informal family and business networks are common among the politicians and business leaders. The revolving-doors of cabinet positions are full of former interest group members.⁴ This type of informal networks is not exclusive to Ecuador and

⁴Guillermo Lasso, the former president of the Asobanca, the largest bank association, was appointed Minister of Economy in Jamil Mahuad's presidency. Mauricio Pozo, former director of the Chamber of Commerce of Quito, was Minister of Finance for Lucio Gutiérrez. The former

still exists in Ecuador. Yet, the generational change of industry leaders—though not necessarily a change of the dominant industries—eventually brought on board younger faces and experiences, that, while relying on already established networks, also came with new ideas about the role of interest groups. When Rafael Correa first became president in 2006, traditional parties had lost much of their legitimization vis-à-vis voters and, more importantly, they lost most of the seats in the legislatures. The legislative majority won by AP, a first-time-contender party, forced interest groups to rethink their strategy, for relying on informal networks was, at least at the beginning, not feasible. Many politicians in the legislature, as well as cabinet members and the president himself, were new faces to politics, which meant networks had to be reestablished. This allowed the new faces of interest groups to internally push for their professionalization. Thus, some interest groups started producing information unavailable to legislators and executive staff; they organized events to explain the state of the sector and their policy positions; and informal meetings with political actors became more transparent. The last push for professionalization came when president Correa, in late 2008, repealed a law that required professionals and business to be members of a collegiate body.⁵ Previously, collegiate bodies were *de facto* interest groups, with no real motivation to engage in politics. After all, they had guaranteed membership. After 2008, interest groups had to provide actual services to their members—if they were to have any—, pushing them to more actively engage with politicians. I am not suggesting that all, or even

president of the *Comité Empresarial Ecuatoriano*, Richard Martínez, was appointed Minister of Economy in 2018.

⁵The law was declared unconstitutional under the new Constitutional text.

a majority, of interest groups have professionalized. There was, though, a movement towards professionalization, one that was more easily achieved by those sectors with resources, and a change that was welcomed by policymakers.

This transition partially explains the abrupt increase of interest group invitations after 2008 (see Figure 4.1). In addition to more concrete rules on participation within legislative committees, there was a wider pool of interest groups to invite to committees. The new faces in the legislature encouraged some sectors to create interest groups given the possibility to establish networks that were previously reserved to elites. The Constitutional reforms of 2008 that made mandatory membership illegal increased the demand for organizations that could effectively represent groups.

4.3 Interest groups as lobbying firms

In Chapter 3 we described the organizational characteristics of the Ecuadorian Congress, stressing the gatekeeping prerogatives of committee chairs, particularly when it comes to inviting groups to participate in committees. But interest groups have their own perspective about committee debate and what they bring to the table. Drawing from semi-structured interviews with interest group representatives, I describe how interest groups see themselves within the policy creation process, their interactions with legislators and their motivations and interests to participate in public lobbying (i.e. committee meetings). Even though the possible motivations to participate in committee debates are not a necessary condition for our theory, groups must have an interest to constantly attend the meeting when invited.

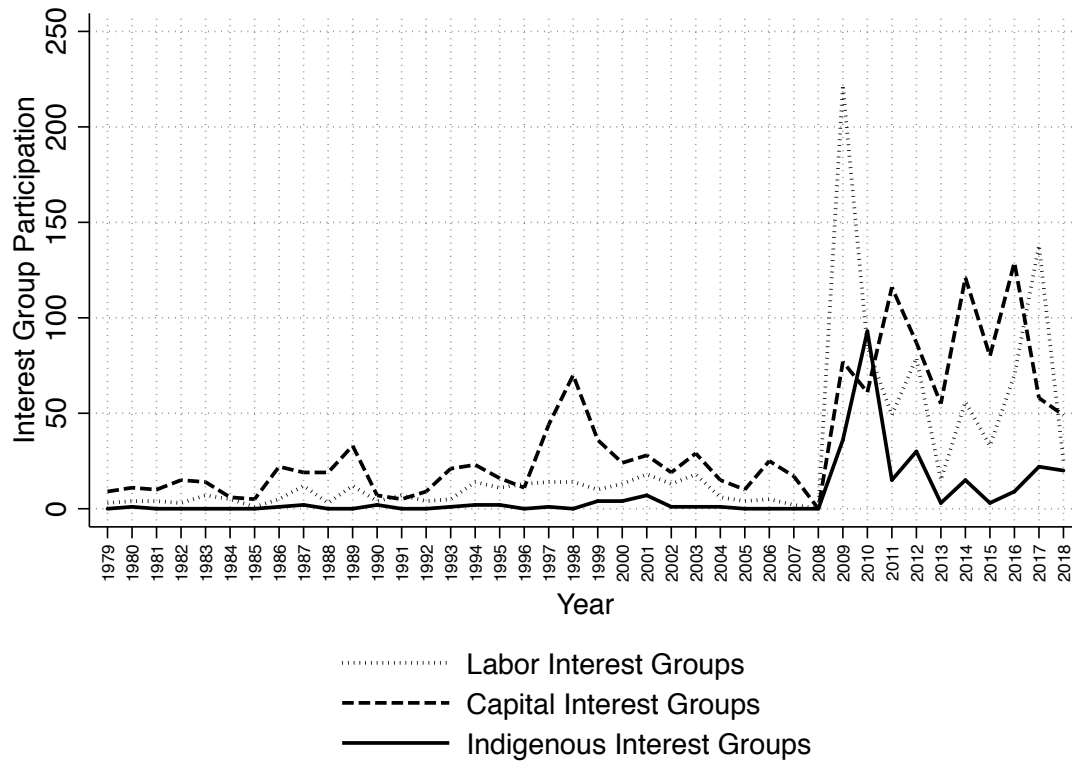


Figure 4.1: Capital, Labor and Indigenous Group Participation in Committees, 1979-2018. Count of interest group invitations by year. In 2008, a National Assembly to rewrite the Constitution replaced Congress, so that year is not included. While there was interest group participation during the drafting of the Constitution, their participation was under different conditions, both from the organizational characteristics of the National Assembly and the rules for participation.

It is important to note that interest groups (in Ecuador) are not lobbying firms or are not solely dedicated to lobbying politicians. Yet, part of the service they provide is pressuring for policies that advance the preferences of their members.⁶ Interest groups arrange networking and coordination spaces for their members, as well as training, support, and information. The extent of the services members receive will depend on the size of the sector or industry being represented. This is also true for the information interest groups can produce, an important presentation card when trying to gain access to politicians. There are coordination strategies between interest groups, commonly under “umbrella” organizations, like the *Comité Empresarial Ecuatoriano* or the CAPEIPI, the Chamber of Small Businesses. They usually present a general position on topics, but interest groups will more often than not lobby for their own particular interests, despite the positions taken.⁷

When interest groups engage with politicians, they do so with policymakers from the executive and from the legislative. Interest groups create links with the executive, especially with middle-ranking staff members, from where all policy is executed and policy is also produced. One common theme across the interviews was the importance of gaining access to the technical staff at the ministerial level. This serves three purposes: clarifying policy being executed, providing information

⁶Paid membership is the norm for interest groups in Ecuador. Interest groups have the common collective action problems of free riding, so they try to raise the cost of not participating. The president of Asobanca (Bank Association) said they were constantly looking for ways to keep members engaged and coordinated, not only by offering services but also showing results in policy outcomes. He said this is hard even in small groups, like the financial sector, with ample resources.

⁷The director of the Ecuadorian Association of Textile Industries (AITE) and the former president of the Stock Exchange coincided in describing interest groups as a highly fragmented environment. Both cited the regional divide as one of the main drives of this fragmentation. The director of AITE added that “there are too many business associations, and this is a weakness.”

to guide the application of policy, and creating a connection with the minister. As the president of the ANFAB⁸ suggested: “most decision-making is carried out at the administrative level, not at the level of the minister; [...] having the attention of the minister is less important than the attention of the staff member that has the ear of the minister.” The problem interviewees agreed on about interaction with the executive was the high turnover of ministers, often accompanied by new technical staff. It requires interest groups to invest in creating new networks to obtain renewed access.

Interactions with legislators carry their own shortcomings. Legislators have a team of four members and lack the resources to carry out policy research. Interest groups fill this gap. The director of the AITE⁹ describes the role of interest groups as “free advisors” to legislators. This role is not extended to all interest groups. For example, the comparative advantage of labor unions and indigenous groups is their power in numbers. They will use the mobilization capacity as a tool to get access. Yet, like the director of the AAFPE¹⁰ stated, “there is a limit of space [...], space in the law and space in the legislator’s time.” There is a limit to what an interest group can gain from meeting a legislator. Furthermore, not all legislators carry the same weight in Congress, and getting access to gatekeepers is not an easy task. The politics of the legislature give individual legislators little decision power, and their actions are usually conditioned by the positions of the party. Interviewees mentioned

⁸ *Asociación Nacional de Fabricantes de Alimentos y Bebidas*. The National Association of Food and Beverage Producers.

⁹ *Asociación de Industriales Textiles del Ecuador*. The Ecuadorian Association of Textile Industries.

¹⁰ *Asociación de Administradoras de Fondos y Fideicomisos del Ecuador*. The Ecuadorian Association of Fund and Trust Fund Managers.

“friendly” legislators, but friendly legislators will not always be the “important” legislators.

The interactions described so far are informal or private. All interest group representatives interviewed agreed that informal networks and interactions were paramount to gain some form of policy benefit. The president of the ANFAB complained that his lack of informal connections with policymakers was a disadvantage, something that he could observe when comparing the interaction of legislators and executive representatives with other interest groups. Interest group representatives also agreed that the most effective strategy was to approach the executive, rather than the legislature. The Executive President of Expoflores¹¹ explained that “policy gets approved and there is not much we can do [...], but we can still influence how that policy is reflected in regulations.” Since 2008, with the executive’s party holding a majority of seats in Congress, bills sent by the President were relatively more likely to get approved, and the discussions about those bills were held with the executive, who would then coordinate with legislators. Interest groups had to divide their time between both political spaces.

Yet, despite the relevance of private or informal meetings, interest groups often participate in the public manifestation of these interactions: committee debates. The most common explanation given by the interviewees for participating in committee debates was a mixture of accountability and legitimization. The former president of the *Bolsa de Valores* argued that “[she] went to committees to be

¹¹ *Asociación Nacional de Productores y Exportadores de Flores*. The Ecuadorian Association of Producers and Exporters of Flowers.

sure that what was discussed in private was honored during the committee meetings.” This applied for private meetings with the executive or a legislator about bills currently debated in Congress. Coordinating their participation with a media campaign was a common strategy among interest groups, something that was more easily achieved by groups who had ties to media outlets, or enough resources to afford a team specialized in public relations. Some interest groups representative, like the president from the Chamber of Commerce of Quito, highlighted the importance of presenting information in the committee to legislators they had not previously met. Others, like the president of the ANFAB, wanted to “remove legislators from politics”, presenting technical information about the effects of reform. Participation also allows interest groups to expand their policy network and is a tangible representation of their work, something they are always eager to report back to the fee-paying members.

Despite the myriad motivations to participate in committees, none are necessary conditions for interest group participation. Interest groups might attend committee meetings for the networking opportunities, to present information, to pressure legislators by bringing media outlets, or to show members what the interest group is doing. Nevertheless, it is still a prerogative of the committee chair to invite groups, whatever their intention. But describing the motivations suggests that, in fact, there are always benefits, in the eyes of interest groups, to participate in committees when invited.

4.4 Interest group participation in committee debates

Our theory suggests that chairs will invite interest groups to participate in committees to raise the salience of issues the party owns. Before empirically analyzing the validity of the theory, I describe the participation of interest groups across time and committee. We have established the conditions that lead to interest group participation, mainly an invitation from the committee chair, but there are contextual priors (i.e. the general salience of a topic, the importance, and prevalence of a sector within the economy) that affect the importance of certain interest groups.

To better study interest groups, I categorize them based on economic activity and group representation. The classification, while not exhaustive, tries to be as fine-grained as possible. There are important limitations to this categorization. Each interest group can identify or coordinate with a different sector or class depending on the circumstance. For example, an interest group representing flower exporters might identify as an “exporter” or as part of “agriculture”; a union representing workers in the auto industry might identify as “labor” or with “industry”; or an interest group representing evangelical indigenous people might identify as “indigenous” or as “religious”. It becomes more complex with “umbrella” organizations, such as Chambers of Commerce, that represent various sectors. Furthermore, many firms or groups will be members of more than one interest group.¹² Even though it is beyond the scope of this research, it is worth noting that the heterogeneity of interest groups membership can affect their mobilization capacity and their political

¹²Some groups are easily identifiable: groups representing cultural movements or groups representing financial organizations are more homogeneous in their membership.

clout (La Palombara, 1964).

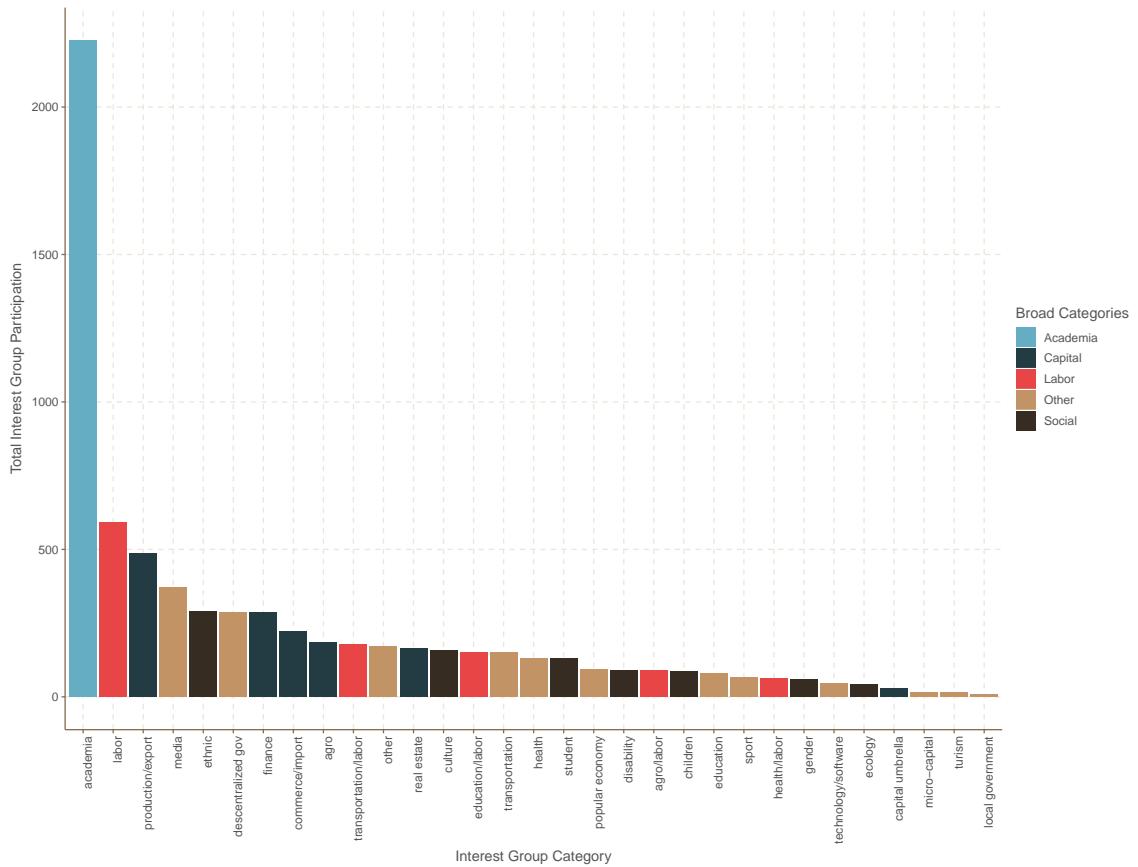


Figure 4.2: Interest Group Participation in Committees, 1979-2018. Participation of interest groups in committee meeting by category, from 1979 to 2018.

Figure 4.2 shows the participation of interest groups in committee debates by category. I further divide them by class (e.g. labor and capital), social groups, and academia. Most invited groups are from the academic space, which is not surprising. Often, committees will invite university professors to clarify or expand on the possible legal effects of reform. Less frequent, but not uncommon, is for specialized research centers to argue, on technical ground, the impact a reform can have on the economy, on collective rights, or on the market. This is not to say that the participation of academic representatives is void of ideology or political

preferences. There are universities that, historically, have been closer to economic groups and others that have been closer to labor. For example, public universities, where labor groups and student unions are in constant dialogue, more often coincide with worker unions than with capital groups (see Figure 4.4). The opposite is also true, private universities, founded by and for the economic elite, participate more often with Chambers than with unions. This to further suggest that participation is foremost a political decision.

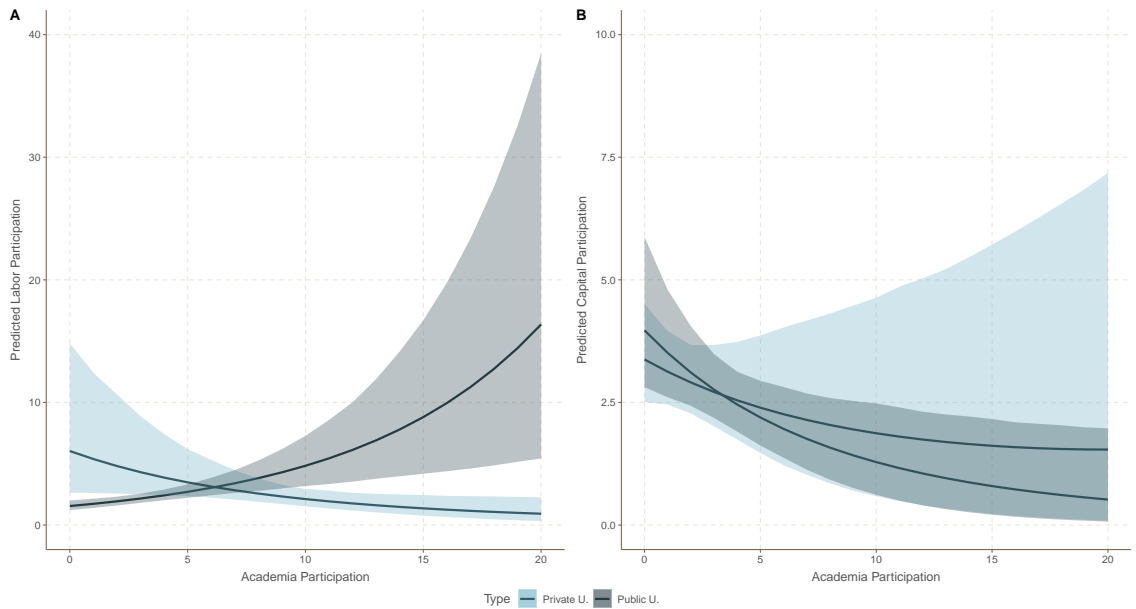


Figure 4.4: Academic, Labor, and Capital Participation in Committees, 1979-2018. Panel A: Predicted count of labor interest group participation when public universities and private universities participate in committee debate. Estimated using a negative binomial model to account for over-dispersion of the dependent variable. Dependent variable is the number of labor groups participating in the committee debate of an individual bill. Independent variables include the number of private universities participating in a committee debate of an individual bill ($p \leq 0.05$), the public universities ($p \leq 0.05$), and the total number of interest groups participating in the committee debate. Panel B: Predicted count of capital interest group participation when public universities and private universities participate in committee debate. Estimated using a negative binomial model to account for over-dispersion of the dependent variable. Dependent variable is the number of capital groups participating in the committee debate of an individual bill. Independent variables include the number of private universities participating in a committee debate of an individual bill ($p \geq 0.05$), the public universities ($p \leq 0.05$), and the total number of interest groups participating in the committee debate.

The invitation of interest groups to committees is uneven. We expect that interest groups representing labor participate more in committees that debate bills addressing labor issues (e.g. De lo Laboral y Social) and capital interest groups to participate more in committees that debate bills addressing economic issues (e.g. Económico, Agrario, Industrial y Comercial), something that indeed happens. The rate at which each group is invited across committees varies with time [although it is fairly constant] (see Figure 4.6). This is also expected. After all, interest groups are invited to raise issue salience, and regardless of the narrative of the party owning the issue, we can assume committee chairs try to attract attention to the issues at hand by directly engaging the constituents interested in that topic (i.e. interest groups).

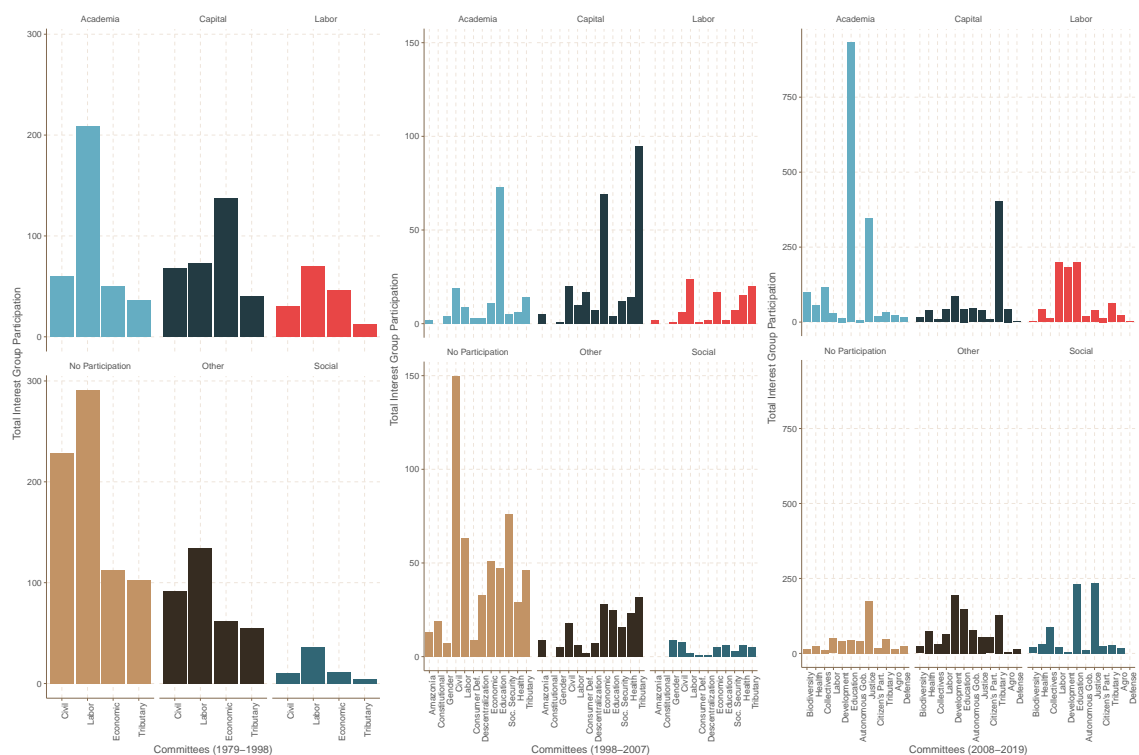


Figure 4.6: Interest group participation in committees by category, from 1979 to 2018.

The capacity of an interest group to raise the salience of an issue is dependent

on the salience of the interest group among the public. The media salience of economic groups will be, in part, contingent on their economic clout (Calvo and Ponce, 2013). With greater economic resources come not only enhanced market power but also greater capacity to lobby policymakers, greater capacity to finance the political aspirations of political allies, or to weaken political foes (Grossman and Helpman 2002, 2004). As the participation of sectors in the total output of an economy increases, so does their capacity to advertise policy preferences to the media and the public. Committee chairs can take advantage of the resources and capabilities of each group to raise the public salience of an issue. In the next Chapter, I explore more in detail the effect of economic clout in committee participation, but for now, I use the currency shock of dollarization to evaluate the changes in interest group invitations to committees. In 2000, Ecuador went from a controlled floating system to dollarization, effectively pegging the exchange rate. The effects this measure were dramatic: export-oriented firm lost their competitive advantage in the regional and world markets, as the costs of labor and the fragility of the domestic market punished national producers. As an economy reliant in the primary sector, the consequences of dollarization were particularly harsh on the agro-industry.

We expect for interest groups representing the winning (losing) sectors of dollarization to be invited more (less) often after dollarization. For example, interest groups representing importers should participate more in committees after dollarization, and export-oriented groups, as well as the agro-industry, to participate less.¹³

¹³Figure 4.7 uses an eight-year window before and after dollarization since we are only interested in the effect of the shock in the immediate aftermath.

In Figure 4.7, the non-linear splines describing the share of interest group participation in committees is suggestive. The two dashed lines represent the start of the exchange-rate crisis (1998) and the dollarization of the economy (2000). Increases in the share of the total import-oriented interest group (e.g. retailers, importers) invited to committees can be observed in the period after dollarization, starting with the beginning of the exchange-rate crisis in 1998. A similar, although more moderate pattern is observed in the export-oriented groups (e.g. agro-industry, local industry), participating less after dollarization.

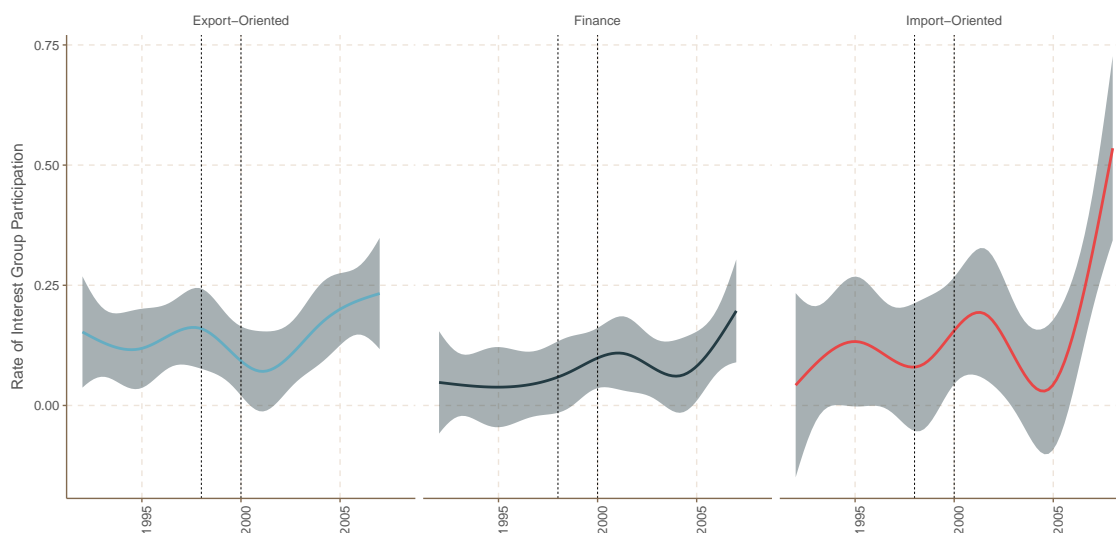


Figure 4.7: Export and import-oriented interest group participation in Committees, 1979-2018. Interest group participation in Committee, 1979-2019. Note: Plots describe probabilities (k-splines = 5) that different interest groups will be invited to Committee debates. Dashed lines for 1998, year the exchange rate crisis started, and 2000, year the economy was dollarized.

4.5 Conclusion

Interest groups participate for a number of reasons in committee debates. Interest groups see committee debates as a mechanism to publicly legitimized agree-

ment reached in private. They serve as an accountability space, a place where interest groups can verify that legislators are not changing the terms previously discussed. Interest groups coordinate their participation with media campaigns, something that feeds into the two-way logic of issue salience: a mechanism for legislators to gain from the issues they own, and a pressuring tool in the eyes of interest groups to get legislators to act on specific topics. As member-funded institutions, the presence of interest groups in the policy-creation space is a tangible representation of access, something interest groups offer to their (fee-paying) members. It also reveals their technical capacity and the policy position to all committee members and creates possible links for the future.

There are a number of motivations for interest groups to attend committees. Even though they are not a necessary condition for interest group participation,¹⁴ they do illustrate the importance of an invitation to committees. From previous chapters, we know that invitations are a strategic decision made by committee chairs looking to raise the salience of issues the party owns. A descriptive view of interest group participation suggests that this participation is, mostly, a political choice. Previous accounts of interest group interaction with legislators stress the importance of information dissemination or some type of quid-pro-quo exchange, but the public manifestation of lobbying seems, at first glance, guided by the benefit a politician can gain from the rise of issue salience thanks to interest groups participation.

In the next chapter I empirically show evidence for this theory, taking into

¹⁴There could be other motivations to attend committees (e.g. prestige) or only one motivation to attend committees. There just needs to be *a* motivation to attend committees.

account that once a gatekeeper opens the doors to committee debates, she can discriminate who gets to enter and who does not. As shown above, there is evidence of the relationship between economic clout—linked to media salience— and participation, as well as the strategic choice of inviting groups with similar policy positions.

Chapter 5: Determinants of Interest Groups Participation in the Ecuadorian Congress

When will committee chairs invite interest group to committees? What type of interest group will committee chairs invite? In Chapter 2 I argued that legislators use the public participation of interest groups in the legislative process to raise issue salience. Committee chairs, legislators endowed with gatekeeping and agenda-setting prerogatives, will open the gates to committees when a bill addresses issues the party owns and will limit participation in the committees when the bill addresses an issue the party does not. Since parties gain electorally from the increased salience of owned issues, they have an incentive to coordinate, through members in key positions, strategies that maximize the returns from interest group participation. From our theoretical framework, we expect committee chairs to 1) be strategic about invitations; 2) invite more interest groups to participate in debates of issue the party owns; 3) invite more interest groups to participate when the party can gain more (electorally) from raising issue salience; and 4) invite group that can raise the more the salience of an issues.

From the proposed theoretical framework, the scope conditions that must be met are as follow. First, committee chairs must be endowed with gatekeeping author-

ity. Second, there must be institutional mechanisms that favor party coordination, rather than individualistic behavior. Third, interest group must be able to raise issue salience or, at the very least, raise media attention to an issue.

In Chapter 3 we established the reach of the gatekeeping authority of committee chairs in the Ecuadorian Congress. Committee chairs¹ are not only able to regulate the flow of legislation, but they decide who is invited to participate in the discussions of a bill. Even after 2008, when Constitutional norms granted the right to any and every citizen to participate in committee debates (i.e. under the figure of *socialización* forums), it is the prerogative of the chair to decide if the forums are held, where they are held, and, more importantly, who is invited. The committee chair can go as far as to change the order of the day to limit the participation of an interest group. Second, the allocation of committee posts and chairmanship is a politically negotiated process led by the larger legislative blocs.² Chairs are usually reserved to senior party members, who are less likely to dissent and favor the party line. Parties in the Ecuadorian Congress were no oblivious to the strategical importance of these posts, which explains the characteristics of the average chair: a four-year national legislator (as opposed to a two-year state legislator) from the majority/plurality party with a longer tenure in a legislature (that for many year had non-consecutive terms). Finally, the behavior of legislators during committee meet-

¹The gatekeeping authority extends to the first hurdle in the flow of legislation: the CAL. As explained in Chapter 3, the CAL is in charge of assigning bills to committees, but also in charge of letting them reach committee in the first place. Often a technical committee (e.g. Argentina), in Ecuador the president of Congress also chairs the CAL.

²The chair of the CAL is not negotiated, but is also one of the roles of the president of the legislature. Note that the president of the legislature, by law, is a member of the majority/plurality party.

ings, as well as the mechanisms employed by interest groups to pressure legislators, suggests that media salience is central to interest group participation. Legislators are interested in taking advantage of media presence during meetings, and interest groups believe that media presence “gets legislators into action”. Committee meetings, much like plenary floor exchanges, are more about politics than policy: the politics of performance.

Having established how the sequential organization of the Ecuadorian Congress and the constraints for participation meet the main conditions of our theoretical framework, we can now specify a set of testable hypotheses regarding the gatekeeper’s strategic considerations to open or not the gates and to discriminate who is allowed in. There are four conditions that we can test. First, we expect invitations to committees to be determined by issue ownership. Second, we expect for chairs to invite more interest groups to bills sponsored by legislators ideologically close. Chairs cater to their own coalition, first and foremost, and avoid dividing the party in the floor vote –by passing legislation that will be favored by the party’s median voter–. Inviting interest groups to bills that are preferred by the party is a sign of party coordination. Third, and most importantly, we expect that in situations when issue salience is more impactful, chairs will be more like to open the gates. Finally, we expect more invitations to groups that can raise more the salience of an issue (than those that lack the resources to do so). The first hypothesis is straightforward: ***Hypothesis 1:*** *Chairs will invite more interest groups to participate in committees when the party owns the issue of the bill.*

Chairs have an incentive not only to advance legislation that is closer to their

own coalition (Cox and McCubbins, 2005; Calvo, 2014),³ but also to invite more interest groups to raise the salience of the issues discussed in those bills. Even though committee chairs can have nuanced considerations regarding the ideological position of the bill with regards to the median voter in the plenary floor (e.g. whether to favor proposals deep in the coalition or not), ultimately, they should always favor those ideological positions that will be preferred by their own party.

Hypothesis 2: *Chairs will invite more interest groups to participate in committee meetings of bills sponsored by legislators ideologically closer to them.*

Here, we are not differentiating the position of the interest group relative to the position of the chair's party. Even though our theory makes no assumptions about the congruence between interest group and legislator ideology,⁴ we can still explore if there are additional determinants for gatekeeper behavior based on ideology. Does Hypothesis 2 hold even for interest groups on the opposite side of the issue? For example, if the chair's party owns public education, would they be equally likely to invite groups representing public school teachers (shared preferences) as they are to invite groups pushing for school privatization (the same issue, but opposing policy preference)? In order to increase the salience of an issue while maintaining discursive coherence, strategic committee chairs might avoid inviting interest groups holding opposing views of an "owned" issue. Alternatively, they might allow the participation of all interest group in a show of fairness, and even encourage opposing interest groups in an attempt to publicly reprimand them.

³Cox and McCubbins (2005) argue that committee chairs avoid dividing the party in the floor vote.

⁴It is worth noting that, above all, issue ownership and salience, rather than congruence, is what matters.

Assuming that competition for access to committees is constant and that time to debate a bill is limited, gatekeepers can and, depending on the salience of the topic, will have to discriminate which groups are able to participate. There is no guarantee that the proposed change made by an interest group will be included on the bill itself. It will ultimately depend on the preferences of the *relevant* median voter within the committee or the plenary floor. However, and in concordance with Hypothesis 2, committee chairs should favor interest groups with shared preferences. This also falls in line with the informal networks discussed in previous chapters, where the interaction between interest group and legislators is first carried out outside the formal channels with groups that have already created ties with the legislators. Often, these ties are electoral and ideological. Thus, we can derive the following hypotheses:

Hypothesis 3: *Chairs will invite more interest groups closer to their ideological position when they want to raise the salience of an issue.*

Hypothesis 3 relies on relatively high competition among interest groups to gain access to committees, enough for the time slots for interest group participation in committee debates to be in high demand. In other words, enough for access to be a seller's market (the chair being the seller). There are topics, on the other hand, which are only relevant to a reduced constituency, with a limited capacity to organize. For example, in the early 1980s, the "indigenous" question in Ecuador was only raised by a small group of legislators from highland provinces, and was pushed by only a few organized groups that had enough resources to mobilize. Until the foundation of the CONAIE in 1986, there was no unified strategy or an

overarching list of demands among indigenous groups. Bills addressing indigenous rights or lands or welfare were few and far apart. Participation in these debates was reduced to a limited number of organizations. It was a buyers market, and chairs interested in raising the salience of that issue could not really choose who was invited. Note that the salience of certain topics will change over time, and attract different participants with more diverse interests. By 1998, the “indigenous” question was not only a salient topic but a contentious one too. The demands for a plurinational state from the CONAIE also allowed for autonomous administration of natural resources (e.g. oil and later precious metals) found in the Amazon, and a dual justice system. The issues raised attracted the attention from a diverse type of groups: academics supporting and opposing the dual justice system, groups concerned with “plurinationality” as a legal concept, and investors worried about the fate of the contracts to exploit natural resources. Therefore, the exogenous salience of a topic will affect the capacity chairs have to choose which interest group participates in committees if they want to raise the salience of an issue.

Hypothesis 3a: *In a seller’s market, chairs will invite more interest groups closer to their ideological position, when they want to raise the salience of an owned issue.*

While raising the salience of an issue the party owns is always important, election cycles should have an effect on the behavior of committee chairs. After all, parties maximize their gains from raising the salience of an owned issue during campaigns. Before elections, we would expect policymakers to be particularly generous with the access they grant to interest groups. It is during political campaigns that politicians are more interested in raising the salience of issue they own (Bélanger and

Meguid, 2008). Since reelection trumps legislative success (Jacobson, 1996; Brady et al. 2000; Cox and McCubbins, 2005), we should also expect committee chairs to care less about the position of the interest group, and more about the amount of participation (that raises salience). Campaigns bring the pluralist out of legislators. This can be linked to what was previously said about the motivations for committee chairs to invite opposing interest groups. Before elections, chairs have a dual interest to invite contrasting positions: to publicly antagonize opposition groups and gain support from their own constituency or to approach opposition groups in order to win over undecided voters.

Hypothesis 4a: *Before elections, chairs will invite more interest groups to participate in committees where their party owns the issue than after elections.*

Hypothesis 4b: *Before elections, the ideological position of committee chairs will be less important than in non-election periods.*

Finally, the capacity of an interest group to raise the salience of an issue is dependent on the salience of the interest group among the public. The media salience of economic groups is determined by their economic clout (Calvo and Ponce, 2013). With greater economic resources come not only enhanced market power but also greater capacity to lobby policymakers, greater capacity to finance the political aspirations of political allies, or to weaken political foes (Grossman and Helpman 2002, 2004). As the participation of sectors in the total output of an economy increases, so does their capacity to advertise policy preferences to the media and the public.

Hypothesis 5: *Committee chairs are more likely to invite interest groups with a*

larger economic clout.

5.1 Data and Empirical Strategy

I examine the determinants for invitations to committees by looking at interest group participation in committee meetings in all the legislative periods in the Ecuadorian Congress from 1979 to 2018. The datasets are a combination of three distinct data sources that I will explain separately and in detail.

5.1.1 Committee allocation and chairmanship

Committee allocation and chairmanship data are divided by legislative periods— one or two-year spans in which committee assignments last—. From 1979 to 1996, committee assignments and chairmanships rotated yearly. After 1996, these were extended to two years. The number, as well as the name of standing committees, varied across the 40-year period covered by the data (see Table 5.1). There are instances of special committees being created, but these are not included in the dataset. No official record for committee assignments is available from the Congress. Rather, I look at the plenary meeting transcripts when committee assignments were voted, and take the information from there. The main limitation to this process is that I am not able to identify instances when legislators leave Congress, either to join a post in the executive branch, to campaign for a different office, by destitution, or by death. For those cases, I look at journalistic records, when available.⁵ Committee

⁵There are unknown instances of legislators leaving their legislative post that are not captured in the data, but those cannot be identified either. There is one instance where there are records known to be incomplete. In January 2007, a conflict between then president Rafael Correa and

chairmanship information is not available from the plenary transcripts. I turn to the committee reports to identify the chairs and committee members, who signed all official documents discharged from the committees.

Since there are no official records of committee assignment and no official records of members of Congress before 2009, I collect the data from various sources⁶ to match the names with their parties. Unfortunately, not all the sources format the names in the same way, and neither do the plenary transcripts. This is problematic, especially when I try to combine this information with the data on bill sponsorship. I employ a string-based name matching algorithm, allowing for a fuzzy similarity between the two different text variables (Raffo, 2015). The algorithm is able to correctly match 60% of the names between legislative periods without supervision. An additional 35% of the names are matched with supervision. There are in total, 1094 unique legislators identified for the time period examined. The main problem with the dataset comes from homonyms or similar names. Manual inspection of the dataset suggests that most names were correctly matched, but there is a possibility for error.

the largest legislative coalition (PSC, PSP, PRIAN, and DP-UDC) over a referendum ensued. The referendum was eventually approved, but the legislative coalition did not recognize its legality. A judge ordered the 57 members of the coalition to be removed from office. There are no records on who the members replacing the legislators were, and how they were assigned to the committees. Yet, by November of the same year, Congress was completely dismissed and replaced with a Constituent Assembly. The period between January 2007 and December 2008 is not included in the dataset.

⁶For the period between 1979 and 1998: Marchán (1996), Salgado (1984), Diario Hoy (1990, 1992, 1994, 1996). For the period between 1998 and 2006: TSE (1998), Hoy (2002), El Diario (2006).

Standing Committees, 1979-1997
De lo Laboral y Social (Labor)
De lo Civil y Penal (Civil and Criminal Law)
Economico, Agrario, Industrial y Comercial (Economic, Agrarian, Industrial and Commercial)
Tributario, Fiscal, Bancario y de Presupuesto (Tributary, Fiscal, Financial and Budget)
Standing Committee, 1997-2008
De lo Laboral y Social (Labor)
De lo Civil y Penal (Civil and Criminal Law)
Economico, Agrario, Industrial y Comercial (Economic, Agrarian, Industrial and Commercial)
Tributario, Fiscal, Bancario y de Presupuesto (Tributary, Fiscal, Financial and Budget)
Educacin, Cultura y Deporte (Education, Culture, and Sports)
Gestin Pblica y Seguridad Social (Public Management and Social Security)
Salud, Medio Ambiente y Ecologa (Health, Environment, and Ecology)
Descentralizacin y Desconcentracin (Decentralization)
Asuntos Constitucionales (Constitutional Matters)
Asuntos Amaznicos (Amazonian Matters)
Defensa del Consumidor y Contribuyente (Consumer and Taxpayer Defense)
Desarrollo Urbano y Vivienda de Inters Social (Urban Development and Social Housing)
De la Mujer, el Nio, la Juventud y la Familia (Women, Children, Youth, and Family)
Asuntos Indgenas y Otras Etnias (Indigenous and Ethnic Matters)
Asuntos Internacionales y de Defensa Nacional (National Defense)
Standing Committees, 2009-2018
Justicia y Estructura del Estado (Justice and Structure of the State)
Derechos de los Trabajadores y la Seguridad Social (Worker's Rights and Social Security)
Educacin, Cultura, Ciencia y Tecnologa (Education, Culture, Science, and Technology)
Desarrollo Economico, Productivo y de la Microempresa (Economic, Productive, and Small Business Development)
Rgimen Economico y Tributario (Economic and Tributary Regime)
Gobiernos Autnomos y Descentralizacin (Autonomous Governments)
Derechos a la Salud (Health)
Soberana, RRII y Seguridad Integral (Defense and National Security)
Participacin Ciudadana y Control Social (Citizen's Participation and Social Control)
Derecho Colectivos (Collective Rights)
Biodiversidad y Recursos Naturales (Biodiversity and Natural Resources)
Soberana Alimentara y Desarrollo Agropecuario (Agricultural and Livestock Development)

Note: There are three standing committees not mentioned, as no bills are debated within those committees: CAL (Consejo Administrativo Legislativo), *De Mesa* (former CAL), and *Fiscalizacin*—a committee that serves as special council—.

Table 5.1: Committees in the Ecuadorian Congress, 1979-2018

5.1.2 Bill Initiatives Data

Data on bill initiatives provide information on sponsors and cosponsor, party affiliation, the sequential process the bill followed, and where it died (or did not). The dataset was constructed from data provided by the *Archivo-Biblioteca* of the Ecuadorian Congress and includes the 9,089 bills introduced by legislators from 1979 to 2017. As previously mentioned, there is no official list of legislators and no tag to identify each legislator and match them to the committee allocation dataset. The same string-based name matching algorithm was used to both, match the names within the bill initiative data, and with the committee allocation data set. More than 90% of the names were matched across datasets. Bills initiated by non-party affiliated sponsors (i.e. citizen groups, public defender, attorney general), which make up 3.2% of the total (N=295), are dropped from the data. Another 243 bill initiatives were introduced by committees⁷. I count as a sponsor of those bills every committee member that signed the initiative.⁸

5.1.3 Interest Group Data

Each committee produces a report detailing all the changes to the bill initiatives, as well as the interest groups participating in the meetings held. The reports were generously provided by staff from the *Archivo-Biblioteca* of the Ecuadorian Congress. Before 2008, not all reports are available. Between 1979 and 2007, there

⁷Until the 2008 Constitution, special and standing committees were able to introduce bills to the floor.

⁸In all but 13 cases all members in the committee signed as cosponsors of the bills introduced by committees.

was no systematization for the format of the reports or for the actual delivery of the reports to the Archive. The committee secretary, the person in charge of writing the reports and delivering them to the Archive, is assigned by each committee chair. It is not a career post, and it changes with each new committee chair, thus there is no formal training nor an office to hold them accountable. While there is a legal requirement for chairs to distribute the reports written up in the committees to the plenary floor before a debate, there is no legal requirement to have those reports delivered to the Archive. Many committee secretaries ended their tenure without entering the reports into the Archive. Interviews with the Archive staff suggest that reports are missing at random, even though the lack of norms could also lead committee chairs to purposefully withhold reports if there was information they did not want to be made public.

From 1979 to 2007, 17.7% of the committee reports are missing (N=379). There are no reports missing between 1979 and 1985. Comparing the expected number of missing and non-missing committee reports by year,⁹ only after 2002 there are more missing reports than expected. For 2007 and 2008, the aggravated institutional and political crisis might explain the absence of reports. It was during that time when half of the legislators were removed from office after opposing a referendum, and Congress was eventually dissolved. Focusing on the period between 1985 and 2006, the average missing report is less likely to reach second debate and to eventually turn into law ($p \leq 0.05$; see Table 5.2). Apart from the Civil and Penal committee, the other three main committees (i.e. Tributary, Economic, Labor)

⁹The null hypothesis is no association between the year and the number of missing reports.

have less-than-expected missing reports. The Civil and Penal committee has more missing reports than expected, but not considerably (see Table 5.3). Proportionally, most of the reports are missing from smaller committees. Similarly, bills introduced by larger parties are less likely to have missing reports. Referring to the plenary floor debates, some of the missing reports might be due to similarity with other bills being debated. Overall, while it is important to take into account how missing observations will affect the outcome of our estimation, especially concerning interest group participation, unavailable reports appear to be mostly on those bills expected to be voted down anyway.

	(1)	(2)
Voted into Law (Diff.)	-0.566 (-21.47)	
Discharged to Second Debate (Diff.)		-0.505 (-26.14)
Observations	1824	1824

t statistics in parentheses

Table 5.2: T-test comparing missing and non-missing reports

From the total available reports ($N = 2,784$; 86%), I extract information on interest group participation. Interest group participation is defined as any instance where an interest group is mentioned in a report. When interest groups participate in committee meetings, reports mention them by name. Interest groups can be invited more than once to a meeting, but to avoid Type I errors from interest groups being mentioned more than once for other reasons other than multiple participation, I only count one invitation per interest group per bill debate. This can lead

Committee	Reports		
	Missing %	Not-Missing %	Expected %
Asuntos Amaznicos, Desarrollo F	1.9	2.5	2.3
Asuntos Constitucionales	4.1	0.8	2.1
Asuntos Indgenas y Otras Etnias	0.7	0.8	0.8
Asuntos Internacionales y de Def	0.4	0.3	0.3
De la Mujer, el Nio, la Juventu	1.5	1.3	1.4
De lo Civil y Penal	28.7	22.7	25.2
De lo Laboral y Social	13.1	11.6	12.2
Defensa del Consumidor	2.2	2.0	2.1
Desarrollo Urbano y Vivienda de I	1.1	2.0	1.7
Descentralizacin, Desconcentrac	3.7	6.6	5.4
Econmico, Agrario, Industrial y	6.3	11.9	9.6
Educacin, Cultura y Deporte	8.6	11.1	10.1
Especial	1.1	0.5	0.8
Gestin Pblica Y Universalizaci	19.4	6.3	11.6
Legislativa y Fiscalizacin	0.0	0.3	0.2
Salud, Medio Ambiente y Ecologa	3.4	7.8	6.0
Tributario, Fiscal, Bancario y d	3.7	11.6	8.4
Total	100.0	100.0	100.0
N	268	396	664
Pearson $\chi^2(16) =$	62.9439	Pr =	0.000

Note: only looking at committees between 1998 and 2006.

Table 5.3: Missing and non-missing reports by committee

to underreporting (Type II error), but I am comfortable with taking the more conservative approach. To identify interest groups, I use Natural Language Processing (NLP) to predict linguistic annotations—for example, whether a word is a verb or a noun or a company—in my text. Once the algorithm recognizes the different entities, I extract the names of interest groups. I manually examine the documents with the highest density of recognized entities and add the names of new interest groups identified. I repeat the process feeding the new names to the algorithm. There are occurrences where different interest groups have similar names yet different geographical locations (e.g. *Cámara de Comercio de Quito* and *Cámara de Comercio de Guayaquil*). These are also picked up separately by the algorithm. In total, the dataset contains 838 unique interest groups and 6,989 instances of interest group participation in committee meetings.

There are three main limitations to this method. First, there might be interest groups that have not been picked by the algorithm (Type II error). Interest groups fluctuate across time and identifying older groups that have disappeared can be difficult. Manually coding each interest group from the reports is complicated, as each document can contain more than a hundred pages. Second, there are no unique identification codes for interest groups participating in committee debates, so I have to identify interest groups by name. This means that any change to the spelling of a name (e.g. *Asociación de Bancos del Ecuador* and *Asociación de Bancos Privados del Ecuador*) or the use of the abbreviated form of a name (e.g. CONAIE and *Confederación de Nacionalidades Indígenas del Ecuador*) will fail to identify the presence of an interest group (Type II error). I try to provide as many alternative

names to each group as possible, but some forms might not have been captured. Third, the poor quality of some of the earlier documents, and different marks (e.g. official stamps, signatures, etc.) in all the documents, can corrupt the text. This will change how the text is processed and read by the algorithm. This too can reduce the number of interest groups identified (Type II error).

5.1.4 Interest group invitations

The unit of analysis for all models is at the bill initiative level. The main outcome of interest is a measure of the number of interest groups participating in the committee debate of a bill initiative. Even if an interest group participates more than once in the same bill initiative, its presence is only counted once. All bill initiatives that reached committees are included, whether interest groups participated or not. We can still have sources of selection bias. For example, bill initiatives that reach committees are, on average, more closely linked to the issues a party owns and are more likely to have interest group invitations than those that do not (if those that did not advance were to hypothetically reach committee). To assess the degree of selection affecting the models, I test for bias using a modified two-step Heckman selection model for count responses fitted by penalized maximum likelihood estimation (Wyszynski and Marra, 2018), where the selection equation is a probit estimating the likelihood a bill reaches committee, and the outcomes equation is a negative binomial of the number of interest groups participating in a committee

debate. The model suggests that there is no selection effect (see Appendix A)¹⁰, but this might be a product of the estimation method or the specification of the model, rather than an accurate reflection of reality. Still, theoretically, it is important to keep in mind that if there was selection bias, it might be affecting our estimates upwards. Figure 5.1 shows the distribution of the number of interest groups participating in committee debates. Note that before 2008, nearly half of the bills had no interest groups participation, something that changes after the 2008 Constitution came into effect.

5.1.5 Estimating issue ownership

Measuring issue ownership in Ecuador is not straightforward as there is no established way of determining which issues are owned by which party. In Europe and the U.S., there are detailed surveys that ask respondents which party is most competent at dealing with each of a series of issues (Green 2011; Sides 2006; Wagner and Meyer, 2014). Such surveys are not publicly available for Ecuador. I use an alternative approach to estimate issue ownership.

The literature has shown that political parties strategically focus on issues they own (Petrocik, 1996; Sides, 2006; Green and Hobolt, 2008; Busemeyer et al., 2013; Guinaudeau and Persico, 2013; Wagner and Meyer, 2014). Budge and Farlie (1983),

¹⁰There are a number of limitations to using two-step Heckman selection models. The estimates are affected by the correlation of the errors of the selection and outcome equations, by the level of censoring, and by the availability of an adequate exclusion restriction. Given the size of the sample, the bias stemming from the first two should be mitigated. Exclusion restrictions, instrument-like variables that only affect our outcome of interest through independent variables, are difficult to come across. Conversely, we can estimate the model without an exclusion restriction, relying solely on the difference in the distributional assumptions of the errors, which can lead to high levels of collinearity. The results from both approaches suggest that there is no selection bias in our models.

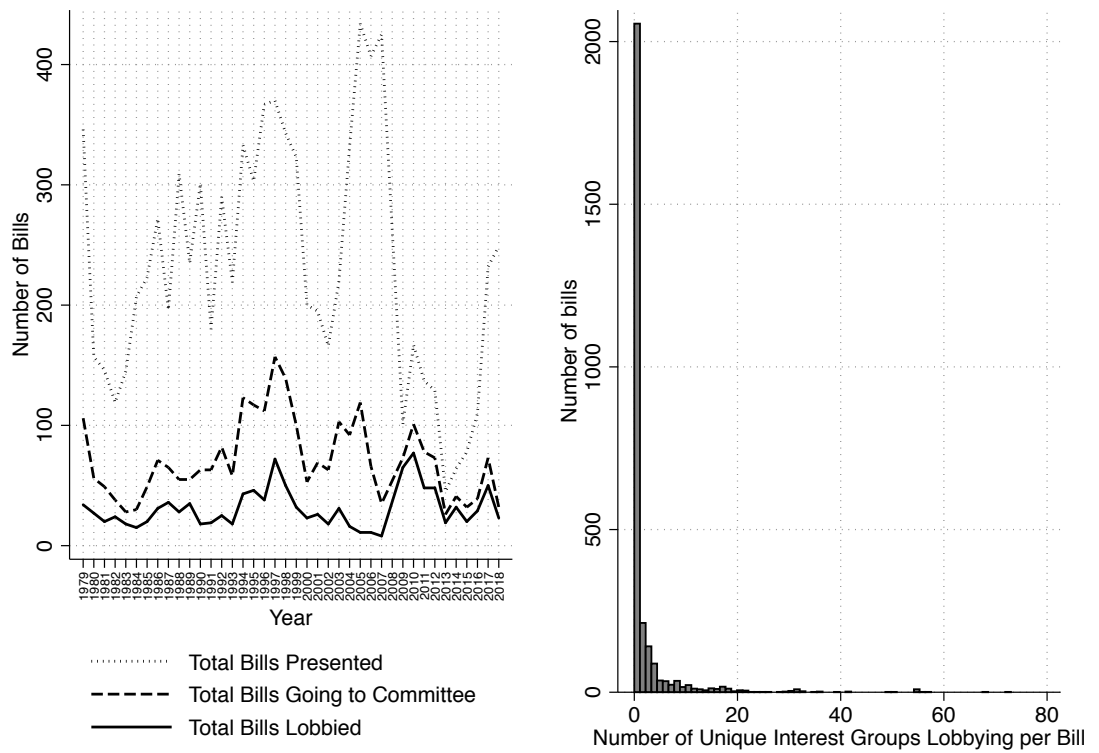


Figure 5.1: Interest Group Participation in Committees, 1979-2018. Participation of interest groups in committee meetings, from 1979 to 2018. Panel on the left shows at least one participant in committee debates. Panel on the right shows the distribution of the number of interest groups participating in committee debates.

Guinaudeau and Persico (2013), and Walgrave and De Swert (2004) argue that parties devote most attention to issues they have ownership over and are perceived as such by the voters at large. These assumptions are not unproblematic. Tapping solely into a party's "history of attention" does not capture their competence to deal with issues—an important component of issue ownership theory—. Yet, since we are interested in party behavior and their reaction to voter perceptions of them, focusing on their attention to issues can serve as a proxy to ownership. Note that using survey data to explain issue ownership is problematic on its own: voters often conflate issue ownership with voting preference and ideological position, especially in multiparty systems (for a review see Walgrave et al., 2014).

Issue ownership depends on the social basis of a party, as well as a party's historical reputation for handling certain issues (Budge & Farlie, 1983; Petrocik, 1996; Petrocik, Benoit, & Hensen, 2003). Assuming parties will focus most of their legislative efforts in issues they already own, I construct an issue ownership ranking based on the likelihood of presenting a bill initiative on specific topics. One logical approach would be to use the committee assignments to show the importance given to different topics. Committees have jurisdictions over fairly specific issues (depending on the number of committees). In previous chapters, I have shown that there is some evidence of parties stacking committees and negotiating chairmanships to favor the issues they are historically known to own. Yet, there are various political biases that will affect who gets allocated to which committee. Limited spaces in a small number of committees will favor larger political coalitions, and the possibility to control all committees and, with them, the flow of legislation, is an important

incentive for party leaders to evenly distribute member across committees.

Instead, to estimate issue ownership I focus on the topics of bill initiatives. Ideally, I would get information from the committee each bill is assigned to. Legislative committees usually have jurisdiction over specific policy areas, revealing information on the topic of each bill reaching a committee. Yet, only a fraction of bills reaches committees. Furthermore, there are political benefits to killing a bill before it reaches a committee (Calvo, 2014), so we only get a partial view of the type of bills being introduced by parties. Rather, I look at the name of all bill initiatives introduced in Congress. The advantage of looking at all bill initiatives is that they are not affected by the political determinants that stop or allow bills to reach committees. There are political and electoral incentives for legislators to introduce bills to Congress, even when most are destined to be defeated (Crisp et al. 2004).¹¹ I assume that, as part of a broader party strategy, policymakers will focus their legislative activity in the issue they own. This strategy is not without its limitations: Crisp et al. (2004), for example, show that in the U.S. legislators also introduce bills to favor the specific needs of their geographical constituencies, rather than the broader strategy of the party. This same process might be attenuated in Ecuador, where candidates are more dependent on the party during elections, especially because seat allocation methods in Congress depend on the vote the party gets, rather than the individual (i.e. D'Hondt method). I conduct a series of robustness checks to show the validity of my measure (see Appendix B).

¹¹The incentives are part of a more ample party and individual strategy. Legislators will introduce bills and use that record to go back to their districts or constituencies and maintain a high profile within the community that will eventually for them.

To extract the theme covered by a bill, I run a structural topic model (STM) (Roberts et al., 2013) and estimate the likelihood of each bill being within a given topic. STM relies on the information each word in each text reveals. The names of the bills in the Ecuadorian Congress reveal most of the information we need to identify the topic they address: they are concrete and descriptive summaries of the issue treated by a bill.¹² STM, rather than relying on an assumed topic defined ex-ante, infer the content of the topics under study. In statistical topic models, topics are defined as distributions over a vocabulary of words that represent interpretable themes (Roberts et al., 2013). STM is a type of multi-membership model,¹³ where each document is represented as a mixture of topics, so all words within it are generated from the same distribution. A multi-membership model will estimate the likelihood a bill initiative fits within each topic, allowing us to categorize out bills by theme. Furthermore, STM allows all estimations to include document-level meta-data that explain topical prevalence, such as party affiliation, fitting the results closer to our priors (i.e. that the sponsor’s party is correlated with the topic of the bill).

We are interested in addressing how parties prioritize issues. The hierarchical structure of our data has three levels (from top to bottom): $party_i$, $legislator_j$ from $party_i$, $bill_k$ from $legislator_j$. As Grimmer (2010) suggests, this structure is employed “anytime

¹²The 1998 and 2008 Constitutions of Ecuador explicitly state that bill can only be confined to one topic and reform only one legal body. There are no omnibus bills, but even if the names hint at more than one topic, STM can estimate more than one topic per bill name.

¹³Alternatively, there are single-membership topic models. In single-membership models a document is restricted to only one topic, with each word within a given document belonging to exactly one topic; thus, each document can be represented as a vector of proportions that denote what fraction of the words belong to each topic. (Roberts et al., 2013)

the *quantities of interest are the priorities a set of actors allocate to issue*". Once the distribution of topics by party is estimated, I rank the topics by frequency by party. I estimate the model for each legislative period as well as for the whole period analyzed, to get at both the dynamic and static nature of issue ownership. The ranking of topics by party is then matched to each committee chair.

To prepare and evaluate my data, I follow Roberts et al. (2014) process on STM. I start by pre-processing my text data by stemming (reducing words to their root form), dropping punctuation and removing stop words (e.g., de, el, y). Additionally, I drop words that are common to most bill names and that provide little information to the model.¹⁴ I also eliminate any word that appears less than five times across all documents. I estimate the model using $K = 15$ topics.¹⁵ The main words estimated by topics, and their proportions across the texts, are presented in Figure 5.2. From these topics, I assign themes to each and match the most prevalent topic of each bill to that theme. The assigned themes and examples of bills fitting that description are shown in Figure 5.3. The topics assigned to bills are closely related to the issue we would expect parties in Ecuador would own and sponsor.¹⁶ For example, the most prevalent topics presented by the MUPP-NP, the political arm of the indigenous movement, are those related to ethnics

¹⁴The words eliminated are: proyecto, ley, organica, reformatoria, cdigo, artículo, derogatoria, ecuador.

¹⁵As robustness check, I estimate the model using $K = 10$, $K = 20$, and $K = 25$ topics. At $K = 15$, topics have the highest levels of semantic coherence and exclusivity of words to topics, a desirable quality in topic models (Roberts et al., 2014). While at $K = 20$ and $K = 25$ topics become increasingly hard to assign specific themes to each topic, the conclusions from our main models, for the most part, remain unchanged (see Appendix B).

¹⁶Issue ownership can be linked to party families, as historical cleavages are often closely related to issue ownership (De Ridder and Kleinnijenhuis, 1998; Wagner and Meyer, 2014). The left is historically own issues of labor, the right of capital, and the green party of the environment.

rights (topic 11) and the environment (topic 6). The MPD, the electoral wing of the Marxist-Leninist Communist Party of Ecuador, and a party associated with worker unions presented most bill initiatives on social security, labor (topic 8), and education (topic 7). Likewise, of the bill initiatives on social security and labor that eventually reached a committee, 72% were assigned to the *De lo Laboral y Social* committee. For civil and penal (topic 14), 60% were assigned to the *De lo Civil y Penal* committee.



Figure 5.2: Graphical display of estimated topic proportions

One final note on this measure. To keep in line with how surveys usually report issue ownership, I rank the attention on each topic by party. Ranking the topics assumes that there is the same difference between the attention placed on the first topic and the attention placed on the second topic, and the difference between

T1: Agro/Labor	T2: Regional Funds	T3: Public Service	T4: Taxes	T5: Public Works
REFORMATORIA A LA CODIFICACION DE LA LEY DEL FONDO PARA EL ECODESARROLLO REGIONAL AMAZONICO Y DE FORTALECIMIENTO DE SUS ORGANISMOS SECCIONALES. ----- FIJACION DE SUELDOS Y SALARIOS MINIMOS VITALES Y ELEVACION DE SUELDOS Y SALARIOS.	ESTABLECESE EN FAVOR DE LA MUNICIPALIDAD DE GUAYAQUIL EL GRAVAMEN DE 30 CENTAVOS DE DOLAR POR CADA BARRIL DE PETROLEO EMBARCADO EN PUERTO BALAO Y 20 CENTAVOS POR CADA BARRIL QUE SE TRANSPORTA POR EL OLEODUCTO LAGO AGRIO-BALAO. ----- ASIGNASE LA CANTIDAD DE CINCO SUCRES POR CADA BARRIL DE PETROLEO QUE SE EXPORTE EN BENEFICIO DE LOS MUNICIPIOS DEL PAIS EN CUYA JURISDICCION SE ENCUENTREN LOS POZOS PRODUCTORES QUE GENEREN DICHAS EXPORTACIONES.	REFORMATORIA A LA LEY DE SERVICIO CIVIL Y CARRERA ADMINISTRATIVA Y UNIFICACION SALARIAL Y HOMOLOGACION DE LAS REMUNERACIONES DEL SECTOR PUBLICO. (No podrá ejercer su profesión en forma libre) ----- SUSTITUTIVA A LA LEY DE SERVICIO CIVIL Y CARRERA ADMINISTRATIVA Y DE UNIFICACION Y HOMOLOGACION DE LAS REMUNERACIONES DEL SECTOR PUBLICO.	INTERPRETATIVA DEL NUMERAL 19 DEL ARTICULO 55 DE LA LEY DE REGIMEN TRIBUTARIO INTERNO. ----- REFORMATORIA DE LOS ARTICULOS 29, 30 Y 31 DE LA LEY DE REGIMEN MUNICIPAL; Y, ARTICULOS 9, 15 Y DISPOSICIONES TRANSITORIAS DE LA LEY DE REGIMEN PROVINCIAL.	REFORMATORIA A LA LEY DE CREACION DE LA CORPORACION EJECUTIVA PARA LA RECONSTRUCCION DE LAS ZONAS AFECTADAS POR EL FENOMENO DEL NIÑO, CORPECUADOR. ----- REFORMATORIA A LA LEY DE CREACION DE LA CORPORACION EJECUTIVA PARA LA RECONSTRUCCION DE LAS ZONAS AFECTADAS POR EL FENOMENO EL NIÑO -CORPECUADOR-
T6: Environment	T7: Education	T8: Social Security/Labor	T9: Commerce	T10: Public Investment
REFORMA A LA LEY QUE CREA EL FONDO DE SANEAMIENTO AMBIENTAL Y RIEGO DE LA PROVINCIA DE EL ORO, FONDORO. ----- FORESTACION Y REFORESTACION DE LA PROVINCIA DE EL ORO.	EXPROPIASE CON FINES DE UTILIDAD PUBLICA EL PREDIO DENOMINADO ALEGRIA UBICADO EN LA PARROQUIA PASCUALES DE LA CIUDAD DE GUAYAQUIL, A FAVOR DE LOS MIEMBROS DE LA COOPERATIVA PANCHO JACOME. ----- AUTORIZASE AL MINISTERIO DE SALUD PUBLICA LA VENTA DE SOLARES UBICADOS EN LOS BARRIOS NUEVA ESPERANZA SUR, DE LA PARROQUIA CINCO DE AGOSTO EN FAVOR DE LOS ACTUALES POSESIONARIOS.	REFORMATORIA A LA LEY DE SEGURIDAD SOCIAL ----- ESCALAFON Y SUELDOS DE PERIODISTAS PROFESIONALES.	REFORMATORIA A LA LEY PARA ESTIMULAR Y CONTROLAR LA PRODUCCION Y COMERCIALIZACION DEL BANANO. ----- REFORMATORIA A LA LEY DE CENTROS AGRICOLAS Y CAMARAS DE AGRICULTURA.	REBAJA EL 75% DEL PAGO DE LAS PLANILLAS POR CONSUMO DE ENERGIA ELECTRICA QUE LAS JUNTAS ADMINISTRADORAS DE AGUA POTABLE ADEUDEN A LA EMPRESA ELECTRICA, PARA FUNCIONAMIENTO DE SISTEMAS DE AGUA POTABLE A BOMBEO. ----- CONGELASE LAS TARIFAS DE CONSUMO DE ENERGIA ELECTRICA, AGUA POTABLE Y TELEFONO.
T11: Ethnic	T12: Rights	T13: Decentralization	T14: Civil and Penal	T15: Security
Proyecto de Ley Orgánica de Consulta a las Comunas, Comunidades, Pueblos y Nacionalidades ----- Proyecto de Ley Orgánica de Derechos Lingüísticos de los Pueblos y Nacionalidades Indígenas	REFORMATORIA AL CÓDIGO DE LA NIÑEZ Y ADOLESCENCIA. (Que determina que el domicilio para demandar la tenencia, alimentos y demás casos contemplados en la ley, sea el domicilio de los menores) ----- Ley Orgánica Reformatoria a la Ley Contra la Violencia a la Mujer y la Familia (Ley 103) Denominada Ley Orgánica Contra la Violencia de Género Hacia las Mujeres	Proyecto de Ley Reformatoria al Código Orgánico de Organización Territorial, Autonomía y Descentralización ----- Proyecto de Ley Orgánica Reformatoria al Código Orgánico de Organización Territorial, Autonomía y Descentralización	ORGÁNICA REFORMATORIA A LA LEY ORGÁNICA DE LA FUNCIÓN JUDICIAL Y AL CÓDIGO DE PROCEDIMIENTO PENAL. ----- Proyecto de Ley Reformatoria al Código de Procedimiento Penal y Normas Penales	REFORMATORIA A LA LEY ORGÁNICA DE LA POLICIA NACIONAL. (Supervigilar, evaluar y controlar a la Policía) ----- REFORMATORIA A LA LEY ESPECIAL DE TELECOMUNICACIONES. ARTICULO 38.

Figure 5.3: Example Documents Highly Associated with Topics

the attention placed on the second topic and the third topic. This is not necessarily the case. For example, the MPD focused 24% of their attention on social security and labor, 12% of their attention on education, 8% of their attention on taxes, and so on. Indeed, this aligns with what we would expect from issue ownership theory. I estimate the models using the proportions, rather than the ranking, and all the conclusions from the models are maintained. In fact, many effects are amplified. Yet, in the main models, I report the more conservative measure.

5.1.6 Ideological position of legislators

I use co-sponsorship data for *all* available bills—including those bills that did not reach a committee or that reached a committee but had no interest group

participation—to retrieve ideal point estimates describing the spatial preferences of Congress members (Alemán et al. 2009). Since co-sponsorship takes place before a bill is considered in committee, the revealed preferences about the legislators’ preferences in co-sponsorship data are not affected by committee or interest group behavior and will not be endogenously related to our variables of interest group participation.¹⁷ The ideological location of legislators was retrieved using principal component analysis on the agreement matrix of cosponsored legislation (see Appendix E). In the Ecuadorian Congress, a lead sponsor requests fellow legislators to co-sponsor a bill before it is formally proposed. Consequently, the estimation drawn from co-sponsorship data is independent of observations of committee assignment and interest group participation. The independent variables used as ideological determinants are the squared ideological distance between the sponsor and the **committee chair**, and the **median party member of the plenary floor**.

To simplify the analysis, I divide the interest groups into four broad categories: capital (e.g. industry, finance, etc.), labor (e.g. workers unions), academia (e.g. universities, research institutes), and social groups (e.g. CONAIE). I assume that capital is aligned to the right, and labor to the left. From Chapter 4 we know that public and private universities are linked to labor and capital, respectively, thus I aligned them accordingly. It is important to keep in mind that these alignments are arbitrary and, while based on the political history of Ecuador and political economy theory, there might be individual interest groups within these broad categories that

¹⁷An additional and important benefit is that there is no roll-call data readily available for Ecuador.

lack class consciousness, or that align by different cleavages.

5.1.7 Additional Variables and Controls

We are interested in the conditional effect of elections on interest group participation. Elections should increase the importance of raising the salience of issues owned. I use a dummy variable coded 1 for any committee meeting held six months prior to an election, and 0 otherwise.¹⁸ As previously suggested, we also expect groups with larger economic clout to participate in legislative committees. The argument focuses on the resources/ability of the group to raise the public salience of an issue. There is no firm-level data for the economic performance or clout of each interest group. Alternatively, I use sector-level economic indicators as proxies to measure the clout of the sector being represented by an interest group. For labor, I use the percentage of wage and salaried workers. A low proportion of wage and salaried workers in a country can be an indication of a large agriculture sector and low growth in the formal economy. They are the least likely to have formal work arrangements, are the least likely to have social protection and safety nets to guard against economic shocks, and are not able to collectively bargain or unionize. For the economic clout of the financial sector, I use a measure of the domestic credit provided by the financial sector (as a percentage of GDP).¹⁹ It provides a snapshot

¹⁸As a robustness check, I see the effect on interest group participation from one to six months before an election.

¹⁹The measure captures credit provided by monetary authorities and deposit money banks, as well as other financial corporations, including corporations that do not accept transferable deposits but do incur such liabilities as time and savings deposits. Examples of other financial corporations are finance and leasing companies, money lenders, insurance corporations, pension funds, and foreign exchange companies. The category of financial interest groups include a similar variety of corporations.

of the dominance of private financial institutions within a financial system. For the export and import sector, their economic clout is operationalized by the export and import value index, respectively. The indexes are the normalized values for exports and imports (expressed as a percentage of the average of the year 2000). All macro-economic variables are taken from the World Bank.

There are a number of variables that are of substantive interest and should be introduced to control for other confounding factors. At the bill level, I control for the overall attention given to the topic of a bill over the period. I also control for whether a bill was sent by the executive. Committee-specific controls include the total number of interest groups invited to a committee over a period; whether a bill was sent by the executive; whether the committee chair is a member of majority/plurality party; and whether a committee chair is a member of the legislative president's party. Notice that many of the controls, as well as the variables of interest, are estimated at the committee, period, and party level. Some effectively control for period-specific effects (e.g. total number of interest groups invited to a committee over a period), others are highly correlated with party and committee-specific effects (e.g. topic ranking). Overall topic ranking, for example, is fairly stable across time, and bills from the same topics will usually end up in the same committee. Thus, adding committee-specific, party-specific, or period-specific effects can be problematic for model convergence.²⁰ Full summary statistics are presented in Table 5.4.

²⁰I show the results of alternative modeling strategies in Appendix C.

Statistic	N	Mean	St. Dev.	Min	Max
Interest Groups Participation (per Bill)	2406	2.599	7.536	0.000	96.000
Labor Groups Participation (per Bill)	2406	0.388	1.355	0.000	14.000
Capital Groups Participation (per Bill)	2406	0.485	2.270	0.000	38.000
Finance Groups Participation (per Bill)	2406	0.097	0.725	0.000	18.000
Export Groups Participation (per Bill)	2406	0.291	1.570	0.000	33.000
Import Groups Participation (per Bill)	2406	0.157	0.805	0.000	15.000
Academia Participation (per Bill)	2406	0.884	3.899	0.000	49.000
Private University Participation (per Bill)	2406	0.318	1.529	0.000	19.000
Public University Participation (per Bill)	2406	0.406	2.219	0.000	28.000
Interest Group Participation (per Committee)	2409	37.912	99.440	0	983
Executive Bill	2406	0.146	0.353	0.000	1.000
Chair Party of the President	2406	0.431	0.495	0.000	1.000
Chair Party of the Maj/Plur Party	2406	0.512	0.500	0.000	1.000
Elections (6 Months)	2406	0.166	0.372	0.000	1.000
Wage and Salaried Workers (% of Workers)	1945	53.131	1.229	50.707	57.106
Domestic Credit (% GDP)	2338	22.093	6.981	10.529	37.675
Export Value Index	2306	164.824	139.993	39.131	522.151
Import Value Index	2306	223.723	205.940	39.972	745.106

Table 5.4: Summary Statistics

5.1.8 Empirical strategy

Studying the determinants of interest group participation in committee debates requires an empirical approach that takes into account the overdispersion of our main count variables of interest. Poisson models for count data assume that the variance of the dependent variable equals its mean. Imposing this condition on overdispersed data produces inefficient estimators. Different from Poisson models, negative binomial models employ an extra parameter, θ , that directly addresses overdispersion. Tests for overdispersion on all models (Cameron and Trivedi, 1990) strongly suggest that the true dispersion is greater than 0 ($p \leq 0.05$).

Zero-inflation might also be an issue. I compare the performance of the negative binomial and a zero-inflated negative binomial model using Vuong's closeness test and find that both models are indistinguishable. Under some specifications, the

zero-inflated model has trouble converging, thus I use the negative binomial model as my main estimation strategy across all models.

5.2 Results

	IG Part. (Bill)	Labor Part. (Bill)	Capital Part. (Bill)	Academia Part. (Bill)
	Model 1	Model 2	Model 3	Model 4
Rank of Topic by Party of Chair	-0.081*** (0.023)	-0.102** (0.042)	-0.015 (0.040)	-0.057* (0.034)
Rank of Topic by Period	0.087*** (0.023)	0.100** (0.041)	0.028 (0.040)	0.079** (0.034)
IG Participation by Committee	0.008*** (0.0004)	0.010*** (0.001)	0.001** (0.001)	0.008*** (0.0005)
Executive Bill	1.038*** (0.104)	0.838*** (0.179)	1.972*** (0.165)	0.493*** (0.150)
Chair Party of President	0.510*** (0.090)	0.335** (0.162)	0.507*** (0.137)	0.820*** (0.115)
Constant	-0.241*** (0.087)	-1.809*** (0.153)	-1.793*** (0.144)	-1.691*** (0.122)
N	2406	2406	2406	2406
θ	0.352*** (0.016)	0.139*** (0.012)	0.143*** (0.012)	0.207*** (0.015)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is all bills that reached committees (whether they were lobbied or not).

Table 5.5: Explaining Interest Group Participation in the Ecuadorian Congress, 1979-2018

I start by empirically testing whether chairs will invite more interest groups to participate in committees when the party owns the issue of the bill. Various models addressing this hypothesis are presented in Table 5.5. The dependent variable for Model 1, the main model, is participation by any interest groups in a committee debate. The other three models (Model 2 - Model 4) only count labor, capital, and academic interest group participation. The main variable of interest is the rank of the topic of the bill by the party of the chair. Note that the ranking goes from 1 (highest) to 15 (lowest), thus we expect a negative coefficient. Across all models, the rank variable is, as predicted, negative ($p \leq 0.05$). The higher the rank of an issue for a party, the higher the number of interest groups that will be invited to participate

in committee debates. Substantively, this means going from the fifth highest ranked issue to the highest ranked issue of a party increases the predicted number of interest groups participating by 30% (see Figure 5.4). According to our theory, the general rank of an issue has no predicted effect on the number of invitations to interest groups. After all, we assume that chairs are strategic players, worried about raising the salience of their issue owned by their party, not necessarily the issue that has the most attention. The negative effect, while not expected, is not entirely surprising either. There is an incentive to limit the exposure of all other issues that are not owned by the party. The effect of issue ranking is stronger when we estimate the model by only looking at interest groups representing labor, but not significant for capital interest groups. Worth noting that bills sent by the executive will see more interest group participation than those sent by a legislator. Committee chairs that are of the same party as the legislative president, usually the majority or plurality party, will invite more interest groups to participate. Both results are likely related to the expectations of bill success and will be further explored below.

Model 1 and Model 2 in Table 5.6 present estimates of interest group participation in committee debates. Meanwhile, Models 3 through 6 describe the estimates of labor and capital group participation. Each of these models provides evidence that conforms to Hypothesis 2.

First, notice the evolution of the estimates of ideological proximity of the sponsor of the bill to the committee chair across all unconditional models (Models 1, 3, and 5). As suggested by Hypothesis 2, ideological proximity is important to the chair when deciding whether to invite interest groups or not. As expected, we find a

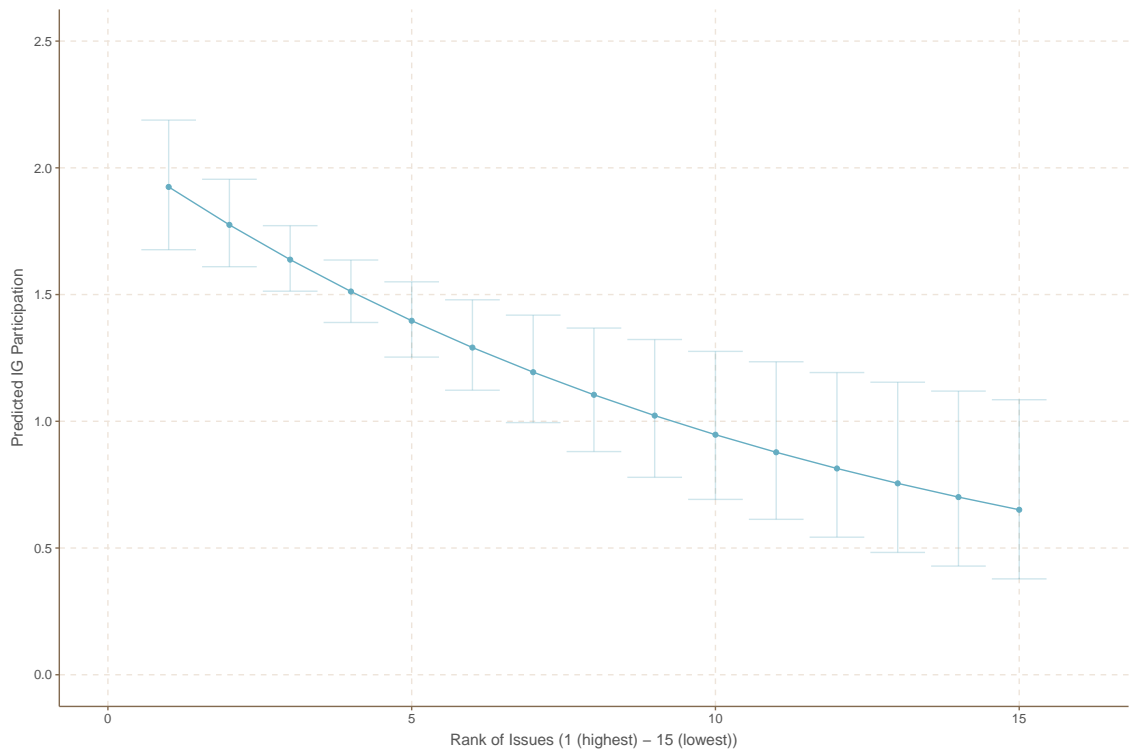


Figure 5.4: Invitations to Committee by the level of issue ranking (ownership) by party of committee chair. Note that the ranking goes from 1 (highest) to 15 (lowest), thus we expect a descending line.

similar relationship with labor and capital interest groups. As previously mentioned, the chair of the CAL—the president of the legislature—acts as the first gatekeeper. Since there is coordination within parties among all stages of the policy-creation process, we see an increased importance of the ideological proximity when the chair of a committee is from the same party as the president of the legislature.

	IG Part. (Bill)		Labor Part. (Bill)		Capital Part. (Bill)	
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Distance of Sponsor to Chair	-0.256*** (0.079)	-0.092 (0.106)	-0.198 (0.140)	-0.224 (0.197)	-0.229 (0.141)	-0.047 (0.187)
Distance of Sponsor to Floor Median	0.139 (0.107)	0.162 (0.144)	0.200 (0.187)	0.150 (0.259)	-0.282 (0.205)	-0.228 (0.280)
Rank of Topic by Party of Chair	-0.064** (0.025)	-0.062** (0.025)	-0.092** (0.045)	-0.092** (0.045)	-0.004 (0.043)	-0.003 (0.043)
Rank of Topic by Period	0.071*** (0.025)	0.072*** (0.025)	0.083* (0.044)	0.083* (0.044)	0.009 (0.043)	0.008 (0.043)
IG Participation by Committee	0.008*** (0.0004)	0.008*** (0.0004)	0.009*** (0.001)	0.009*** (0.001)	0.002*** (0.001)	0.002*** (0.001)
Executive Bill	1.011*** (0.107)	0.986*** (0.107)	0.804*** (0.184)	0.811*** (0.185)	1.888*** (0.170)	1.862*** (0.171)
Chair Party of President	0.580*** (0.085)	0.720*** (0.103)	0.295** (0.150)	0.252 (0.182)	0.572*** (0.145)	0.727*** (0.176)
Sponsor to Chair * Chair Party of President		-0.391** (0.158)		0.053 (0.281)		-0.408 (0.286)
Sponsor to Floor * Chair Party of President		-0.016 (0.211)		0.109 (0.368)		-0.115 (0.404)
Constant	-0.219** (0.095)	-0.291*** (0.098)	-1.831*** (0.168)	-1.809*** (0.174)	-1.684*** (0.167)	-1.752*** (0.173)
N	2093	2093	2093	2093	2093	2093
θ	0.360*** (0.018)	0.362*** (0.018)	0.144*** (0.013)	0.144*** (0.013)	0.149*** (0.013)	0.150*** (0.013)

Notes: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is bills that reached committees and were lobbied by all (Model 1 and Model 2), labor (Model 3 and Model 4) or capital (Model 5 and Model 6) interest groups. For bills introduced by the executive, the assigned ideal position was the median position of the party for that cohort.

Table 5.6: Effect of Ideological Distance of Bill Sponsor on Interest Groups Participation

The effect of ideological proximity to the committee chairs is more easily interpretable as presented in Figure 5.5. The horizontal axis in Figure 5.5 describes the ideological position of sponsors as estimated from the cosponsorship data. The vertical axis describes the number of invitations to a committee. The median floor voter is represented with the letter F and the position of the committee chair with the letter C. The median floor voter is pegged at the center and the committee chair right-of-center.²¹ As shown in the left plot of Figure 5.5 and consistent with Hypoth-

²¹The model yields the same conclusions regardless of the position of the median floor voter and committee chair.

esis 2, more interest groups are invited to proposals sponsored by representatives who are deep in the chair's coalition. We can also see different preferences when it comes to inviting labor interest groups and capital interest groups. In the right plot of Figure 5.5, chairs invite labor more to committees when the bill is sponsored by a legislator deep in the coalition, yet chairs will invite capital more to committees when the bill is sponsored by a legislator closer to the median floor voter.

In Figure 5.6, we can see the conditional effect of the committee chairs and the president of the legislature being from the same party. First, it is noteworthy the dramatic increase in participation when the chair and the president are from the same party. For the complete sample, the participation of interest groups increases almost six-fold when committee chair and the legislative president share party affiliation. While lower in magnitude, for labor and capital participation stills increases considerably. The effects across groups remain, yet we see that for interest groups in general, the bills that get more invitations are those of sponsors deeper in the coalition when the chair and president share party than when they do not.

The effect of the chair's ideological position on interest group participation is shown in Table 5.7. For groups broadly on the left, we expect a negative coefficient for the ideological position, and the opposite for those groups broadly on the right. The results are mixed. Labor interest groups, as predicted, are invited more often when the committee chair's ideological position is closer to the left. Roughly, moving from the right to the left would increase labor participation by a standard deviation. For capital interest groups the effect is not statistically significant, even though the direction is as predicted. From Chapter 4 we know that all invitations are

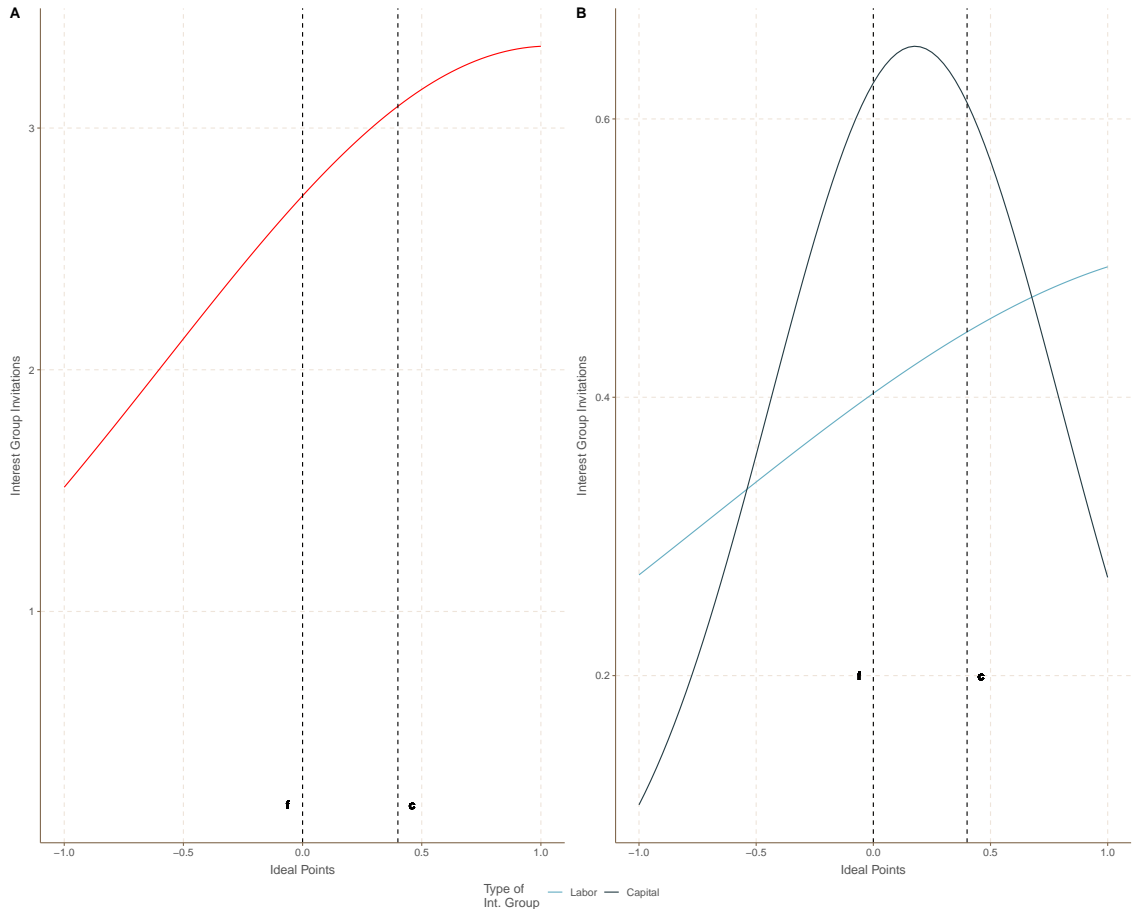


Figure 5.5: Invitations to Committee by Interest Groups Type; Ecuadorian Congress, 1979-2019. Note: Estimated from models reported in Table D.1 in Appendix D. Median Floor voter (f) set to 0.0. Committee Chair (c) set to 0.4.

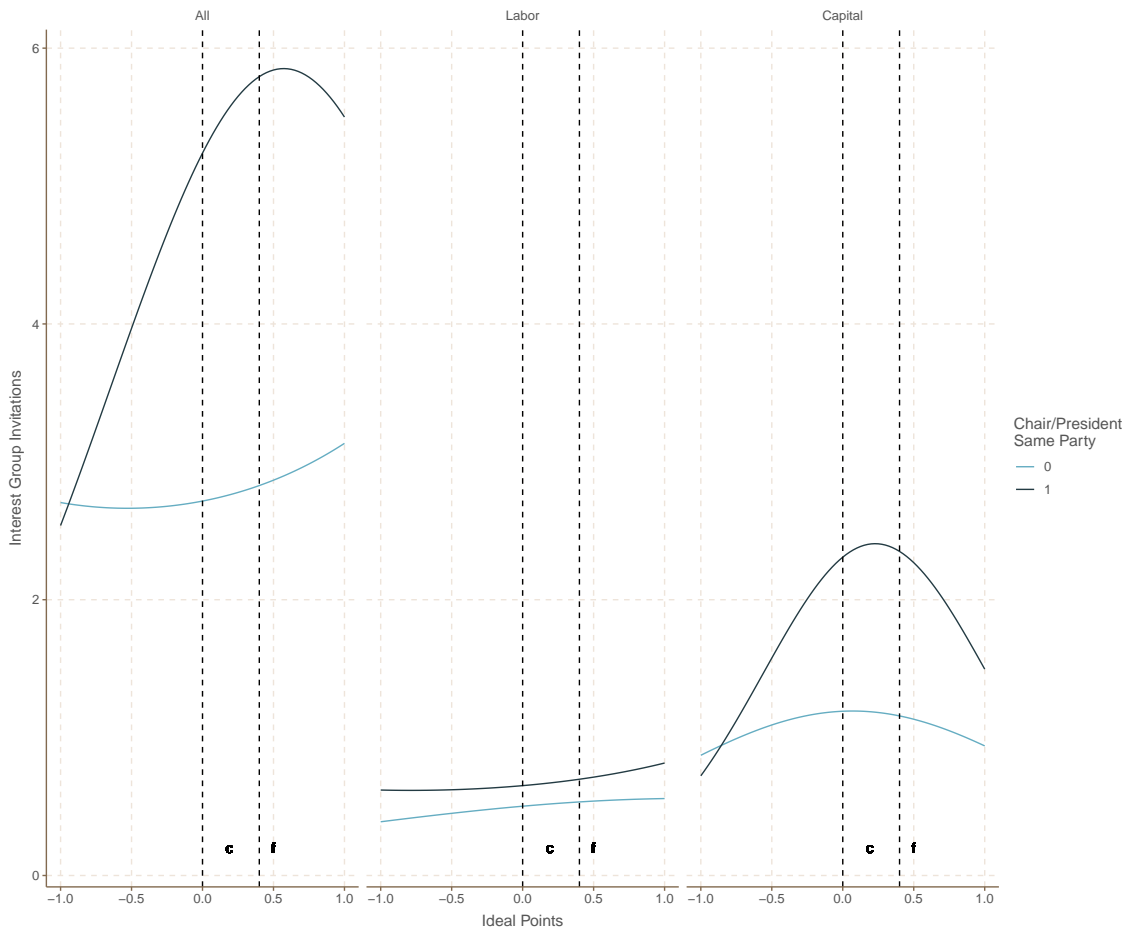


Figure 5.6: Invitations to Committee by Interest Groups Type Conditional on Party of Chair and Legislative President; Ecuadorian Congress, 1979-2019. Note: Estimated from models reported in Table D.1 in Appendix D. Median Floor voter (f) set to 0.0. Committee Chair (c) set to 0.4.

political, even “technical” participation, like that from members of universities. Public universities are often closer to labor groups, while private universities have connections with Chambers. On the one hand, private universities participate more as the position of committee chairs moves to the right ($p \leq 0.1$). The opposite effect is observed with public universities, even though in this case the effect is not statistically significant. The conditional effect of the chair being from the same party as the president of the legislature is presented in Model 2 and Model 4. The marginal effect is in the expected direction for labor groups ($p \leq 0.05$), but not so for capital interest groups. While the estimates show some support for Hypothesis 3, the results are not conclusive and merit further exploration in future work. For example, left-leaning chairs are more likely to invite interest groups, in general, to participate in committee debates. Given the overall right-leaning nature of the Ecuadorian Congress (see Figure E.1), chairs from the other side of the aisle might use more often, and more strategically, interest group invitations in an effort to gain from their owned issues while at the same time be effective lawmakers.²²

I also hypothesized that in a seller’s market (the chair being the seller), chairs will invite more interest groups closer to their own ideological position when they want to raise the salience of an issue owned. When topics are salient, there will be a higher demand to participate in committee debates, allowing chairs to discriminate whom they invite to debates. The opposite should also be true: in a buyer’s market (the interest group being the buyer), chairs should not be able to discriminate from what side of the aisle the interest group favors. To explore this effect, I interact the

²²The same can be extended to legislatures with opposite biases.

	Labor Part. (Bill)		Capital Part. (Bill)		Public Uni. (Bill)	Private Uni. (Bill)
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Ideological Pos. of Chair	-0.277** (0.133)	0.003 (0.193)	0.154 (0.135)	0.269 (0.183)	-0.105 (0.163)	0.332* (0.181)
Rank of Topic by Party of Chair	-0.013 (0.043)	-0.026 (0.043)	0.004 (0.041)	-0.0005 (0.041)	-0.028 (0.051)	-0.094* (0.057)
Rank of Topic by Period	0.047 (0.042)	0.048 (0.042)	0.010 (0.041)	0.012 (0.041)	0.096* (0.050)	0.156*** (0.053)
IG Participation by Committee	0.005*** (0.001)	0.005*** (0.001)	0.002*** (0.001)	0.002*** (0.001)	0.008*** (0.001)	0.008*** (0.001)
Executive Bill	1.054*** (0.183)	1.029*** (0.183)	1.973*** (0.179)	1.941*** (0.178)	0.448* (0.238)	0.196 (0.262)
Chair Party of President	0.889*** (0.148)	0.960*** (0.152)	0.477*** (0.147)	0.525*** (0.154)	0.650*** (0.181)	1.044*** (0.195)
Ideological Pos. of Chair * Chair Party of President		-0.560** (0.270)		-0.276 (0.275)		
Constant	-2.437*** (0.160)	-2.437*** (0.161)	-1.871*** (0.154)	-1.881*** (0.154)	-2.842*** (0.192)	-3.414*** (0.217)
N	2131	2131	2131	2131	2131	2131
θ	0.183*** (0.021)	0.185*** (0.022)	0.144*** (0.013)	0.144*** (0.013)	0.119*** (0.016)	0.139*** (0.021)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is bills that reached committees and were lobbied by labor (Model 1 and Model 2), capital (Model 3 and Model 4), public or private universities (Model 5 and Model 6) and interest groups.

Table 5.7: Effect of Chair’s Ideology on Interest Groups Participation

committee chair’s ideological position and the total participation of interest groups by committee in a given period. Thus, the higher the number of overall participation, the more a chair should be able to discriminate. In Figure 5.7 I present the predicted count of labor and capital interest group participation across the range of ideological distance at different levels of issue salience (in a given period). Once again, the evidence is mixed. For labor groups, the conditional effect is as predicted: when few interest groups participate, the effect of ideology on labor group invitations is flat. As more groups participate in committees, left-leaning chairs are able to choose the type of group that gets invited, favoring those closer to their ideology (i.e. labor groups). The effect for capital groups is flat across most levels of general attendance, and at high levels of attendance, when the relationship becomes significant, it does so in the opposite direction as predicted.

One of the most compelling empirical evidence of the model is the behavior of chairs before elections, a time when issue salience matters most. Conditional on owning an issue, we see more interest groups invited to committees before an

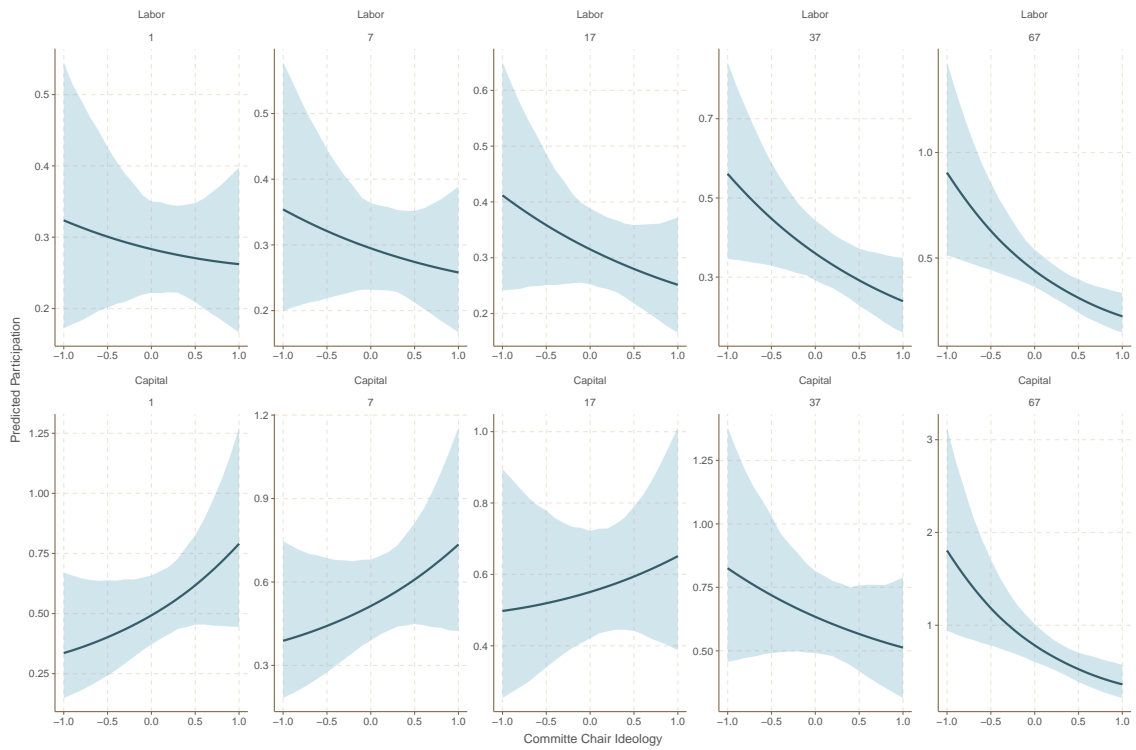


Figure 5.7: Predicted count of labor interest group participation across ideological distance at different levels of interest group participation. Predicted values estimated using a restricted model where the dependent variables are labor and capital interest group participation, and interacting the ideological position of the chair with the total number of interest group participation by committee in a given period.

election. Table 5.8 shows the interactive effect of elections (6 months prior) and our main variable of interest. For off-election months, the effect of issue ownership is maintained. In election season, the effect for each unit change is increased two-fold. This effect intensifies progressively as we get closer to an election, too. In Figure 5.8, we can more clearly see this progression. Starting on the top left panel, the effect of issue ownership becomes more pronounced on interest group participation as we get closer to elections. The more substantive effects appear five months before an election when the participation of interest groups in an owned issue will increase by 50% when compared to non-election periods. By the time we get to the month prior to an election, chairs will invite three times as much interest groups as they would in any other period.

Furthermore, as hypothesized, elections eliminate the effect of ideological proximity on interest group participation, even though the evidence is not conclusive. Model 1 from Table 5.9 shows the expected effect of the ideological position of the chair on labor group participation, an effect that disappears during election season. This is not true for capital interest groups, though, as there is no effect of the ideological position of the chair on their participation (as previously shown), but elections actually trigger more numerous invitations to capital groups from right-leaning chairs. While the direction is as expected, the conditional effect of elections is opposite to what was initially predicted. To more clearly observe the interactive effect, Figure 5.9 shows the predicted count for labor (top) and capital (bottom) interest groups. This further suggests that there might be an additional strategical component to interest group invitations, mainly, one exploited by parties farther

away from the median.

	IG Part. (Bill)
Rank of Topic by Party of Chair	-0.070*** (0.024)
Election (dummy)	0.280 (0.172)
Rank of Topic by Party of Chair X Election	-0.084* (0.043)
Rank of Topic by Period	0.088*** (0.023)
IG Participation by Committee	0.008*** (0.0004)
Executive Bill	1.052*** (0.104)
Chair Party of President	0.507*** (0.080)
Constant	-0.289*** (0.090)
N	2406
θ	0.353*** (0.016)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is all bills that reached committees (whether they were lobbied or not). The Election dummy is coded 1 for any bill debated 6 months prior to an election, and 0 otherwise.

Table 5.8: The Effect of Election Cycle on Interest Group Participation

Of course, these results could also be a result of opportunistic legislators aiming to obtain benefits from direct and personalistic exchanges with interest groups. Towards the end of their tenure, when there is no possibility of reelection and no fear of punishment by the party, legislators might be inclined to invite more interest group to gain some outside benefit. For example, interest groups, keen in gaining access, might offer compensation for participation in the form of a job (e.g. revolving

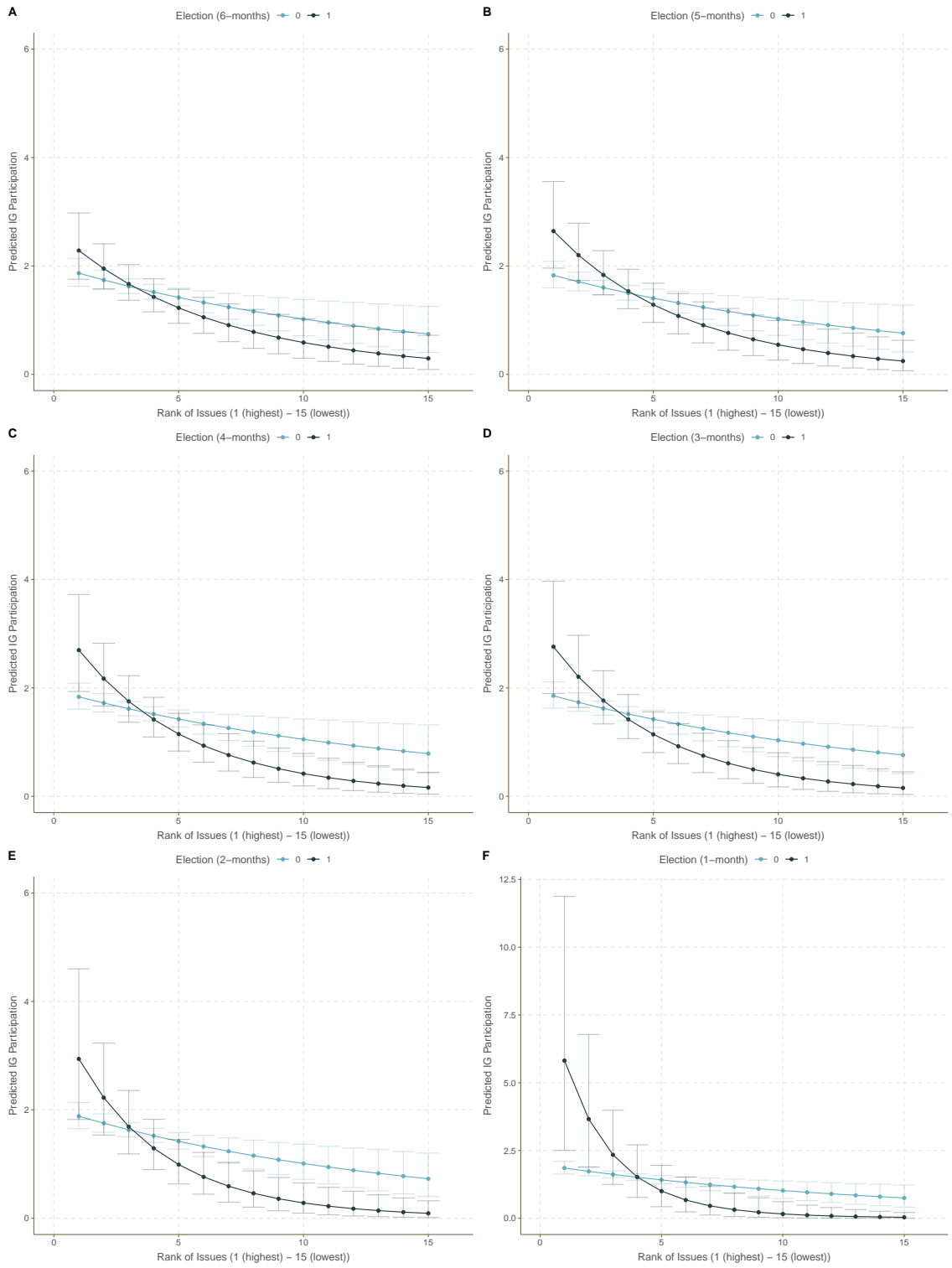


Figure 5.8: Predicted count of interest group participation across different levels of issue salience, conditional on elections.

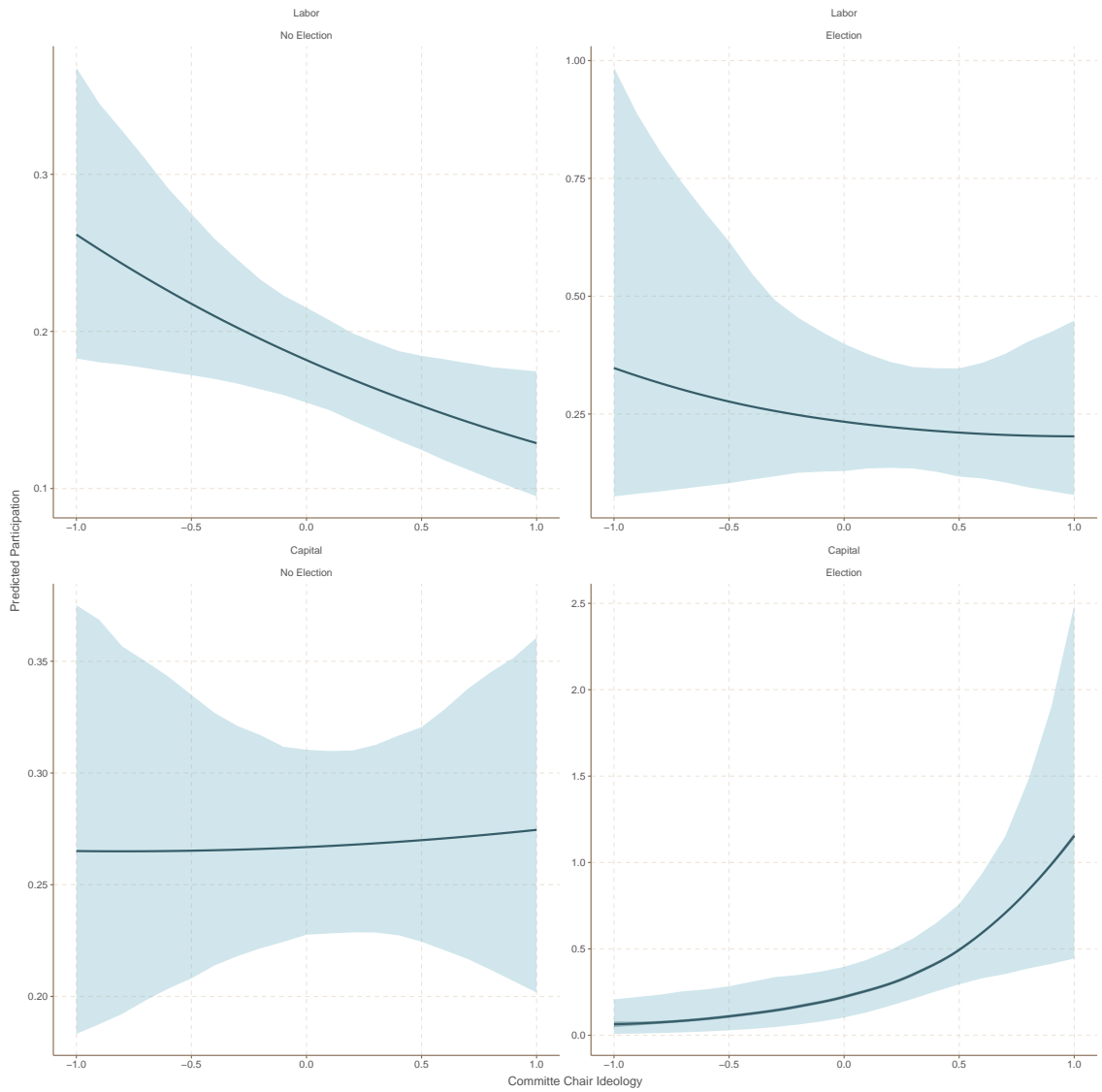


Figure 5.9: Predicted count of labor and capital interest group participation across different levels of the committee chair's ideological position, conditional on elections.

	Labor Part. (Bill)		Capital Part. (Bill)	
	Model 1	Model 2	Model 3	Model 4
Ideological Pos. of Chair	-0.523*** (0.172)	-0.529*** (0.175)	-0.206 (0.186)	-0.280 (0.189)
Elections (Dummy)	0.175 (0.456)	0.144 (0.533)	1.033** (0.449)	-0.248 (0.670)
Rank of Topic by Party of Chair	0.074 (0.066)	0.076 (0.066)	-0.049 (0.073)	-0.024 (0.072)
Rank of Topic by Period	0.060 (0.061)	0.059 (0.062)	0.086 (0.067)	0.067 (0.067)
IG Participation by Committee	0.004*** (0.0005)	0.004*** (0.0005)	0.001* (0.001)	0.001* (0.001)
Executive Bill	1.261*** (0.216)	1.266*** (0.216)	2.486*** (0.232)	2.523*** (0.230)
Ideological Pos. of Chair * Election		0.133 (0.969)		2.662** (1.066)
Constant	-1.908*** (0.173)	-1.909*** (0.173)	-1.511*** (0.186)	-1.535*** (0.186)
N	1036	1036	1036	1036
θ	0.218*** (0.027)	0.218*** (0.027)	0.161*** (0.018)	0.164*** (0.018)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is bills that reached committees and were lobbied by labor (Model 1 and Model 2) or capital (Model 3 and Model 4) interest groups. Election dummy takes 1 for any bill discussed 3 months before an election and 0 otherwise. The model is estimated for bills that reached a committee whose chair was the same party as the legislative president.

Table 5.9: Effect of Ideology and Elections on Interest Groups Participation

door). If this was the case, just like our theory predicts, we would expect to see more invitations to issues owned by the party before elections. After all, people leaving want to show their capacity to their future employer, and they can better achieve that by inviting interest groups to issues they own (i.e. are better are handling). To discard this possibility, I divide my sample into cohorts that could run for reelection and cohorts that could not.²³ The results are presented in Table 5.10. Model 1 shows the estimates for cohorts that could be reelected and Model 2 shows the estimates for cohorts that could not. As expected, the effect found in the full sample (Table

²³Between 1979 and 1994, there was no immediate reelection in Ecuador. Between 1994 and 2008, a legal reform eliminated term-limits. The 2008 Constitution limited reelection to one term. Thus, between 1994 and 2013, all legislators could run for reelection. Note that cohort terms are not staggered, so all legislators within a cohort have the same options regarding reelection (at least until 2013).

5.8) only holds for those legislators that could run for reelection (Model 1 in Table 5.10), providing additional evidence to the theory of party coordination to raise issue salience.

	IG Part. (Bill)	
	Model 1	Model 2
Rank of Topic by Party of Chair	-0.080** (0.031)	-0.070* (0.040)
Election (dummy)	0.351 (0.220)	0.043 (0.283)
Rank of Topic by Period	0.123*** (0.030)	0.014 (0.036)
IG Participation by Committee	0.008*** (0.0004)	0.008*** (0.001)
Executive Bill	1.148*** (0.143)	0.831*** (0.148)
Chair Party of President	0.370*** (0.105)	0.849*** (0.128)
Rank Party X Election	-0.149*** (0.054)	0.077 (0.078)
Constant	-0.321*** (0.120)	-0.148 (0.135)
Reelection Allowed?	Yes	No
N	1510	884
θ	0.327*** (0.019)	0.425*** (0.033)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is all bills that reached committees (whether they were lobbied or not). The Election dummy is coded 1 for any bill debated 6 months prior to an election, and 0 otherwise. Model 1 only includes cohort that could run for reelection. Model 2 only includes cohorts that could not.

Table 5.10: The Effect of Election Cycle on Interest Group Participation

Finally, several other factors previously identified in the literature as affecting media salience, and thus the capacity to affect issue salience, appears to also have an effect on interest groups participation. In particular, the economic clout of a group

seems to be linked to the frequency with which chairs invite them to committees. As the level of prominence of an economic group raises in the market, so does their participation in committees (see Table 5.11). For example, raising the domestic credit provided by the financial sector by half a standard deviation will raise the participation of finance interest group by a whole standard deviation.

	Labor Part. (Bill)	Finance Part. (Bill)	Export Part. (Bill)	Import Part. (Bill)
	Model 1	Model 2	Model 3	Model 4
Rank of Topic by Party of Chair	-0.138*** (0.048)	0.024 (0.081)	-0.084* (0.050)	0.087 (0.053)
Rank of Topic by Period	0.159*** (0.046)	-0.108 (0.085)	0.151*** (0.049)	-0.041 (0.055)
IG Participation by Committee	0.008*** (0.001)	-0.001 (0.001)	-0.0003 (0.001)	0.002*** (0.001)
Executive Bill	0.914*** (0.196)	2.152*** (0.290)	1.810*** (0.198)	1.656*** (0.214)
Chair Party of President	0.257 (0.157)	0.370 (0.269)	0.366* (0.188)	0.166 (0.208)
Waged Workers (%)	0.150** (0.060)			
Domestic Credit (% GDP)		0.067*** (0.019)		
Export Value			0.003*** (0.001)	
Import Value				0.001* (0.0005)
Constant	-9.806*** (3.219)	-4.691*** (0.503)	-3.077*** (0.204)	-2.963*** (0.216)
N	1943	2335	2304	2304
θ	0.141*** (0.013)	0.058*** (0.010)	0.114*** (0.013)	0.105*** (0.014)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is all bills that reached committees (whether they were lobbied or not).

Table 5.11: The Effect of Economic Clout on Interest Group Participation

5.3 Conclusion

This chapter finds that committee chairs are more likely to invite interest groups to participate in committees when they own the issue discussed. Most conclusively, when salience is more important for the party—before an election—the effect of issue ownership becomes more marked. Furthermore, committee chairs are also sensitive to other sources that can increase issue salience, such as economic clout.

I show that gatekeepers are strategic in the way they open and close the gates, and how this behavior is shaped by different strategical party elements politician consider when legislating (e.g. ideological position of bill sponsor, gatekeepers, etc.).

Interestingly, all these effects are more prominent for labor interest groups. When we break down participation by groups, it is invitations to labor groups that will increase if the party of the chair owns the issue, an effect that was not found for capital interest groups, for example. This might speak to the mechanisms that parties use to raise issue salience, particularly those farther away from the plenary median voter.²⁴ Since the benefits from strategically allowing groups to participate are mostly electoral, chairs could be investing more in the numbers (votes) provided by labor than the resources (campaign contributions) provided by capital. Yet, the effect of the ideological position of the committee chair is stronger for capital interest groups.

All the results presented speak to the same strategic considerations of committee chairs when it comes to inviting interest groups to committee debates. That is, chairs invite more interest groups when bills addressing topics their party owns are discussed. They are more likely to do this when parties benefit from increased issue salience of an owned issue. Mainly, before an election, an effect that increases as we get closer to election day. Finally, the results show that as the economic clout of groups increase, so does their presence in committee debates. We know that economic clout is related to media presence, thus it is not surprising that chairs are more inclined to invite groups with larger clout.

²⁴As mentioned above, the Congress of Ecuador has been, historically, right-leaning biased.

Chapter 6: Conclusion

6.1 Summary of Findings

The outside influence of interest groups, their interaction with policymakers, and the outcome of lobbying has received much attention by scholars. Its more visible counterpart, public lobbying, has not. Public lobbying, as presented in this dissertation, is a double-sided window into the strategic behavior of interest groups, on the one side, and the legislative game, on the other.

In democracies like the Latin American ones, where the institutionalization and regulation of lobbying is an improbable possibility—always a scapegoat, but rarely a priority—, the opportunity to look into this process is particularly attractive. After all, interest groups participation in the policy creation process is ubiquitous across political systems and structures. It is the omitted variable of many legislative processes, one whose existence we acknowledge, but are rarely able to observe. Earlier research in Latin American interest groups theorized about the channels of influence (Schneider, 2004), the conditions on how the channels operate, and the structural determinants for the policy outcomes stemming from these channels (Fairfield 2010, 2015a, 2015b).¹ Rarely have we been able to systematically

¹Fairfield (2010, 2015a, 2015b) has done research on private wealth and public revenue, focusing

observe and quantify the interactions of groups and politicians where the policy is ultimately decided: the legislature.

This dissertation, a push to fill that gap, benefited theoretically from the literature on legislative politics and the intuitions from research on interest groups. It is an attempt to detail a process that has been elusive to the comparative field, yet often alters the outcome of policy. Without a doubt, research on lobbying and Congress in the United States (and, to a lesser extent, in the European Union) is more extensive and developed,² yet often falls short in its institutional, organizational and partisan variation. The rules of the game are clear, and while “dark money” is still pervasive, the exchanges between interest groups and policymakers are better recorded and publicly available (though not necessarily publicized). By looking at lobbying, both from its public manifestation and in its alternative institutional environment, this research offers a new perspective on interest group participation in the policy-creation process in Latin America, one that can hopefully inform different political contexts.

In summary, this dissertation proposes an alternative information model to explain the interaction between interest groups and legislators. My theory suggests that committee chairs—endowed with gatekeeping authority—will strategically invite interest groups to raise the salience of issues owned by the party. I find that interest groups are willing to participate in this process given the prospects of micro-

on the relevance of structural and instrumental power. Schneider (2004) provides a comparative and historical analysis on the participation of business in Latin American politics.

²Beyond the literature cited throughout this paper, see Figueiredo and Ritcher (2014) for a review on the advances on the field and the limitations of studying lobbying in developing countries. Also see Hojnacki et al. (2012) for a review on the theoretical frameworks of lobbying (focused on the U.S., Europe, and Japan).

managing policy. Fully aware of the political hurdles required to overcome before passing legislation, interest groups try to gain access to bill initiatives already in motion, and aim for the marginal gains obtained from changing specific articles—the “fine print”—that could benefit them.

Committee chairs appear to be highly strategic about invitations to debates on bill initiatives. Chairs will invite more interest groups to participate in debates of issues the party owns, a relation that is increased when raising the salience of issues becomes more appealing. Particularly, as elections approach, committee chairs become more generous with their invitations to debates, a sign that indeed salience is one of the main drivers of interest group participation. As the ideology of the sponsor of the bill gets closer to the ideology of the chairs, the latter is more likely to invite interest groups to participate. Invitations increase at a faster rate when the chair also share party with the first gatekeeper, the president of the legislature. Given that interest groups have different levels of resources, and these resources change across time, it is not surprising that as the economic clout of certain groups increases, so does their participation in committees.

To execute this research, I utilized an original dataset on interest groups participation in committee debates in the Ecuadorian Congress from 1979 to 2018. By identifying 838 unique interest groups, and 6,989 instances of interest group participation in committee meetings, I was able to paint a new picture of how legislators and interest groups interact in the midst of the policy creation process. Additionally, the analysis sourced data on the entire universe of bill initiatives from the Ecuadorian Congress, to complement interest group participation data with legislative-level

and party-level information that reflect the internal strategies they come into play when deciding who gets to invite interest groups, and when. Finally, I draw upon over 30 semi-structured interviews with a range of actors participating in the policy-creation process in Ecuador, from interest group representatives to committee chairs, to elucidate why interest groups seek to participate in committee debates, and what they gain from this.

This analysis of public lobbying through the participation of interest groups in committee debates helps draw attention to several gaps in our understanding of both the role and reach of external influences in policy and the handling of these influences by legislators. On the one hand, this research extends the role of legislative gatekeepers from one of controlling the flow of legislation to one of controlling the flow of influence. Common wisdom assumes that interest groups purchase the access they want from politicians (Austen-Smith, 1995) or provide information strategically to shape policy outcomes (Grossman and Helpman, 2001). This dissertation complements those approaches in arguing that the quid pro quo transactions between politicians and interest groups, when made public, change the dynamic between the parts, granting much of the leverage to the legislator instead of the interest group. This, by no means, suggests that interest groups have no agency. Rather, it looks to expand the reach of transactions that are kept private and out of public sight, and analyze how they change the motivations and incentives of both parts. When we place lobbying in the center of the policy-creation process, their participation is also part of the broader political considerations of policymakers answering to many audiences.

Secondly, my dissertation sheds light on interest group participation in a region and a context often absent in the literature addressing this topic. While there have been attempts to explore how groups interact with policymakers, and how they are able to affect policy, their participation in the policy-creation process itself—in the political game that ultimately decide the fate of legislation—, appear to have been sidelined from the analysis. This dissertation is an attempt to fill this gap by exploring the behavior of legislators vis á vis interest group in a context, like legislative committees, that is important for both the political interests of the party and for the outcome of bill initiatives. In doing so, I present some of the first empirical evidence of lobbying, public or otherwise, in Latin America, and a novel theoretical framework for the politics of committees and interest groups.

6.2 A Further Agenda

This research explores two main questions: why do politicians invite interest groups to committees and when are they being invited? But this dissertations also hints at another two lines of research that come as natural extensions of these main questions: *who* are they inviting, and how are invitations affecting legislative success? We have presented a broad look at when different types of interest groups, representing different industries and alignments, participate in committees. Yet, the categorizations, while based on theory, are *ad-hoc* and static.

The participation of interest groups in the policy-creation process requires the creation of networks, not only with politicians but among other interest groups.

These connections will change, as interest groups create different networks that are more efficient at representing and delivering their interests. With our data, and within our framework, we can study the networks created by interest groups and legislators, the structure of those networks, and how are those networks changing and reacting to different political and economic contexts. For example, modeling the participation to committee debates as a bipartite network where interest groups are connected only through a committee chair (i.e. all edges—invitations to committees—go through a chair) can provide a detail view on how these connections change across time and to exogenous factors.

At first glance, we might expect for economic and political crises, for instance, to affect the strength of the ties between groups. Committee chairs might run a tighter ship, being more conservative on who gets access to policy, creating tightly knit communities when there is stronger competition for limited resources. When more resources are available to go around, committee chairs can opt to distribute access more generously, in an attempt to build new ties with groups in the future. Future research can uncover in further detail how gatekeepers choose who is allowed to participate and how that choice is modeled by endogenous and exogenous factors.

The second unanswered question touches more closely to the policy implications of the participation of interest groups in the committee debates. We want to know how the outcome of policy changes when groups participate and when they do not. Inasmuch as interest groups can only be invited to participate in meetings of bill initiatives that reach committee, the likelihood of success of those bills is already relatively high. Of the bill initiatives that are discharged from committees in the

Ecuadorian Congress, 48% are eventually voted into law (compared to 16% of all bill initiatives). Keeping this in mind, it is still important to know to what degree does interest group participation affect legislative success. Policymakers are inviting interest groups to participate to raise the salience of owned issues, and in return they allow interest group to micro-manage policy. Are policymaker offering spaces in high-value policy, bills that have a high chance of being approved? Are policymakers offering high-value bills to some groups and not to others? Is participation linked to success?

Previous studies have shown that legislative success in Latin America, for legislators, is linked to the party of the sponsor of the bill and the role of the party within the legislature (i.e. majority/minority party; party of the executive) (Alemán and Calvo, 2008), and often the executive plays a major role, especially during her “honeymoon” period and approval is up (Alemán and Navia, 2009; Figueiredo et al. 2009). More recent research on the role of ideology and partisanship in legislative voting has shown the importance of party strategy when determining legislative voting (Alemán et al., 2018). With this idea in mind, how do interest groups factor into legislative success? We can foresee two scenarios: first, one where committee chairs are using their knowledge of success strategically, and pricing access accordingly; second, one where committee chairs use the capacity interest groups have to raise salience in order to alter the probability of success a bill initiative, whether to show the benefits of an owned issue, or to show the drawbacks of not owned issue of an opposing party.

The final outstanding question relates to how generalizable the findings of this

dissertation are to other countries and contexts around the world. The Ecuadorian Congress, as all legislatures, has its own particularities and the interaction between interest groups and legislators are unique given the various changes in the rules of the game across time. That said, we saw in Chapter 3 that the Ecuadorian Congress is not an outlier in terms of capability and proactiveness when compared to other legislatures in Latin America (Saiegh, 2010). The norms regulating lobbying are similarly absent across countries, and those that regulate lobby are seen as an exception (and even then implementation varies). How much can the proposed theoretical framework be adapted and generalized to other contexts?

I foresee two types of generalizations: of the model and of public lobbying. The scope conditions of the proposed theoretical framework are flexible. While much of the theory stands on the gatekeeping authority of the committee chair, it is worth noting that relaxing this condition might give us different results using the same intuition. For example, in legislatures where the decentralized authority of committee chairs is limited (e.g. Uruguay), chairs might distribute the gains of raising the salience of an issue across all committee members—by inviting interest groups to debates in a more ample set of issues—or invitations might be directly managed by the majority party. Likewise, even though more distanced from the core actors explored in this dissertation, the framework can be applied to other processes where gatekeepers have the ability to raise the salience of issue or strategically decide what issues are discussed and when those issues are discussed.

In other regions where public lobbying is a common feature, such as the European Union, the relation between the voter and the policy implemented by the

parliamentarian might be more removed, enough for the benefits of the participation of interest groups through issue salience are diminished. Thus, the voter as an audience loses its values, but the party or the coalition remain an important strategic actor that will be interested in the signals chairs are sending through the decision to invite certain groups and not others. The main aim for any extension of public lobbying would be how, in different gatekeeping arrangements, legislative organizations, and party systems, legislators invite interest groups to publicly participate in the policy creation process.

Likewise with issue salience. Throughout the dissertation, raising the salience of an issue was always an action carried out by the chair. But the salience of an issue can be raised exogenously, by political or economic shocks that concentrate the attention of voters and policymakers (Petrocik, 1996). On the other hand, not all issues are owned, and competition to own disputed issues can be fierce (Bélanger and Meguid, 2008). How do committee chairs respond in these cases? Indeed, a factor that is currently missing from this research are the outside pressures that shape the behavior of legislators, the competition it can create among parties, the effect it can have on invitations, and, ultimately, the results on policy outcomes.

6.3 Concluding Remarks

Public lobbying is best understood as a window into a broader world of interest groups, legislators, and policymaking. It can help us understand how legislators use their posts within the legislature to benefit the party. It can also show the

channels of influence interest groups use to change policy, and who controls those channels—who controls the flow of influence—. In this exchange, we are presented with further evidence of the mechanisms that govern the policy-creation process, inter-party preference, and interest group behavior. The richness of the data used in this research can allow us, in future iterations, to explore more detailed processes taking place at committee meetings, at plenary floor debates, and even during both Constitutional Assemblies.

But most importantly, this research is a step towards understanding how external forces ultimately shape the destiny of the laws governing us all. A more nuanced look of Schattschneider’s “heavenly chorus”, which can help us better grasp its accent and how policymakers and their parties benefit from those voices. One common thread among interviewees for this dissertation was the longing for laws regulating lobbying. Interest group representatives—especially those representing smaller groups—wanted to have clear rules to gain access. Legislators, mindful of the ubiquitous nature of lobbying, wanted to hold meetings with interest groups without having to worry about looking guilty to the public. Still, both parts knew that it was a policy unlikely to be implemented: the national collective memory saw lobbying as back-room deals where policy was sold to the highest bidder; the “hombre del maletín”—the man with the briefcase (full of bribe money)—is still often invoked.

But the reality is more complicated than lore. Legislative initiatives are difficult to pass, interests are almost impossible to align, and partisan pressures can be excruciating. This research has set up the framework to incorporate these realities

into the policy creation process. Yet this is only the start. We are ultimately interested in policy outcomes, in the “fine print”, in the challenges to the status quo. We want to know how much of an “upper-class ascent” the chorus has. We want to know how the pitch changes. We want to know how outside interests affect the very laws the will rule over the rest. Hopefully, this research is the first step towards that goal: unraveling the many-times unobservable processes that move policy.

Appendix A: Sample Selection Bias Robustness Check

We estimating our models of interest group participation, we are encountered with a censored sample of bill initiatives. Close to 68% of all bills presented will never be discharged from committee. Sample selection bias arises from the non-random censoring of data. This occurs when the observations select themselves into (or out of) the sample based on observed and unobserved characteristics. Estimates based on models that ignore such a non-random selection may be biased and inconsistent. For our data, non-random selection arises if the sample consisting of bill reaching committee differ in important characteristics from the sample of bill not reaching committee. For example, bill initiatives that reach committees are, on average, more closely linked to the issues a party owns and are more likely to have interest group invitations than those that do not (if those that did not advance were to hypothetically reach committee). To assess the degree of selection affecting the models, I test for bias using a modified two-step Heckman selection model for count responses fitted by penalized maximum likelihood estimation (Wyszynski and Marra, 2018). The predictors for the selection and outcome equations, respectively, can be specified as follows

$$selection_i = \beta_{10} + \beta_{11}X_{1i} + \epsilon_{1i}$$

$$interestgroups_i = \beta_{20} + \beta_{21}X_{2i} + \epsilon_{2i}$$

where $selection_i$ is a binary selection variable for bills reaching committees or not, X_{1i} is a set of covariates determining the selection variable, and include: the percentage of seats in the legislature of the sponsor's party, whether the sponsor is from the same party as the president of the legislature, and if the sponsor of the bill was the executive. Additionally, $interestgroups_i$ is only observed when $selection_i = 1$. The literature has shown that these are all predictors for legislative success in Latin America (Alemán and Calvo, 2010). I also control for the topic of the bill. $interestgroups_i$ is the outcome of interest, a count of interest groups participating the committee debate for a bill, and X_{2i} , a set of covariates determining the outcome: the rank of issues by party, the overall rank of issues over a period, and the total number of interest groups participating in a committee over a given period. Better estimation results are generally obtained when the set of regressors in the selection equation contains at least one or more regressors (usually known as exclusion restrictions) that are not included in the outcome equation (e.g., Marra and Radice 2013). Given that the outcome predictors can only occur once a bill reaches the committee level, we should not have any problems identifying the parameters.

Table [A.1](#) shows the results from the corrected models. The estimates of all predictors in the selection equation are in the expected direction and statistical

significance. Yet, there is no considerable change in the estimate from the main model in Chapter 5 and the outcome equation from the corrected model. If anything, the original model is underestimating the effect of our main variable of interest (ranking of issue by party).

SELECTION EQ.	
	Bill Reached Committee
Rank of Topic by Party of Chair	-0.325*** (0.029)
Rank of Topic by Period	0.41*** (0.029)
Executive Bill	0.730*** (0.079)
Chair Party of President	-0.012 (0.047)
Constant	-3.456*** (0.190)
Bill Topic Effect?	Yes
OUTCOME EQ.	
	IG Part. (Bill)
Rank of Topic by Party of Chair	-0.094*** (0.029)
Rank of Topic by Period	0.068** (0.029)
IG Participation by Committee	0.008*** (0.001)
Constant	-0.284** (0.129)
θ	-0.341***
σ	3.329***
N	8150
N Selection	2453

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Modified two-step Heckman selection model for count responses fitted by penalized maximum likelihood estimation (Wyszynski and Marra, 2018).

Table A.1: Estimation of Main Model Controlling for Sample Selection Bias

Appendix B: Alternative Structural Topic Models

Structural topic modeling (STM) is a generative model of word counts, as we define the data generating process for each document and use that to estimate likely values for the parameters in the model. Within this framework, a topic is defined as a mixture of words, each with a probability of belonging to a topic. As Roberts et al. (2017) state, in mixed-membership topic models, like the one used in Chapter 5, the posterior is intractable and non-convex, which creates a multimodal estimation problem that can be sensitive to initialization. In other words, the starting values of the parameters used for the estimation can change the outcomes. To deal with this potential problem, I base the initialization on the methods of moments, which is deterministic and globally consistent under reasonable conditions (Arora et al., 2013; Roberts et al., 2016).¹ This method is known as a spectral initialization. This approach allows for similar results, regardless of the seed set.

The number of topics, K , in STM are specified by the user, and there is no “right” answer to the number of topics specified (Grimmer and Stewart, 2013). Roberts et al. (2014) argue that semantically interpretable topics have two qualities:

¹Roberts et al. (2016) recommend using spectral initialization as it produces the best results consistently.

they are cohesive in the sense that high-probability words for the topic tend to co-occur within documents, and they are exclusive in the sense that the top words for a topic are unlikely to appear within top words of other topics. Based on these criterion, I estimate STM to identify the topic of bills by looking at four different values of $K = 7, 10, 15, 20,$ and 25 . STM did not converge at 7 or 10 topics (after 75 iterations). The larger the number of topics, the greater the level of exclusivity (but this is partly by construction). Yet, the highest levels cohesiveness are found at $K = 15$. This is the number of topics I choose for my main models. Note that $K = 20$ has similar characteristics as $K = 15$. To check that the results are not contingent on the estimation of the model, I replicate some of the results from Chapter 5, using 20 topics, instead of 15.

When using 20 topics, the main words estimated by topics, and their proportions across the texts, are presented in Figure [B.1](#). From these topics I assign themes to each, and match the most prevalent topic of each bill to that theme. The assigned themes and examples of bills fitting that description are shown in Figure [B.2](#). While the topics assigned are still related to the issue we would expect parties in Ecuador would own and sponsor, increasing the number can divide one topic into two and affect both an accurate representation of the theme *and* an accurate reflection of the attention given to it by a party.

I report the results of the main models of Chapter 5 in Table [B.1](#). All the models have the expected direction and are statistically significant. The coefficient for the ranking of an issue by party in Model 1 is higher than the one reported in Chapter 5. The ranking of a topic by period, on the other hand, is not statistically

Top Topics

_____	Topic 6: provincia, favor, fondo
_____	Topic 10: nacion, agua, obra
_____	Topic 9: tributario, fiscal, presupuesto
_____	Topic 1: educaci3n, cultura, descentralizaci3n
_____	Topic 5: seguridad, derecho, social
_____	Topic 19: servicio, defensa, profesion
_____	Topic 15: penal, civil, eleccion
_____	Topic 18: creacion, provincia, canton
_____	Topic 17: social, labor, industria
_____	Topic 13: trabajo, pension, labor
_____	Topic 2: desarrollo, seguridad, p3blica
_____	Topic 8: sistema, ecuatoriana, institucion
_____	Topic 16: articulo, control, constitucion
_____	Topic 12: justicia, estructura, integr
_____	Topic 7: procedimiento, funci3n, legislativa
_____	Topic 11: articulo, interpretativa, publicada
_____	Topic 14: transport, terrestre, tr3nsito
_____	Topic 4: politica, general, inciso
_____	Topic 20: especi, crea, fondo
_____	Topic 3: a3o, menor, creas

Figure B.1: Graphical display of estimated topic proportions

T1: Decentralization	T2: Development	T3: Health	T4: Civil	T5: Health
<p>Proyecto de Ley Reformatoria al C3digo Org3nico de Organizaci3n Territorial, Autonom3a y Descentralizaci3n</p> <hr style="border: 0.5px dashed black;"/> <p>Proyecto de Ley Org3nica Reformatoria al C3digo Org3nico de Organizaci3n Territorial, Autonom3a y Descentralizaci3n</p>	<p>Proyecto de Ley Reformatoria a la Ley de Pesca y Desarrollo Pesquero para la Recategorizaci3n de Embarcaciones Pesqueras Artesanales</p> <hr style="border: 0.5px dashed black;"/> <p>Proyecto de Ley Reformatoria de la Ley de Pesca y Desarrollo Pesquero</p>	<p>AMPLIA LAS ASISTENCIA MEDICA A TODOS LOS HIJOS DE LOS AFILIADOS MENORES DE 12 A3OS DE EDAD.</p> <hr style="border: 0.5px dashed black;"/> <p>RESPONSABILIDAD Y MALA PRACTICA MEDICA.</p>	<p>REFORMATORIA AL INCISO SEGUNDO DE LA TERCERA DISPOSICION TRANSITORIA DE LA LEY PARA REPRIMIR EL LAVADO DE ACTIVOS.</p> <hr style="border: 0.5px dashed black;"/> <p>REFORMATORIA A LA LEY DE LA JURISDICCION CONTENCIOSO-ADMINISTRATIVA. (Sustituyase Art. 3, suprimanse literales b) y c) del Art. 10; agr3guese un inciso en el Art. 11. Despues del Art. numerado; despues del Art. 13 sustituyase una frase: Eliminese el Art.</p>	<p>REFORMATORIA A LA LEY DE PRODUCCION, IMPORTACION, COMERCIALIZACION Y EXPENDIO DE MEDICAMENTOS GENERICOS DE USO HUMANO. (Verificaci3n de la calidad, cantidad y eficacia terap3utica y el principio activo de los medicamentos de uso humano)</p> <hr style="border: 0.5px dashed black;"/> <p>REFORMATORIA A LA LEY 2000-12, LEY DE PRODUCCION, IMPORTACION, COMERCIALIZACION Y EXPENDIO DE MEDICAMENTOS GENERICOS DE USO HUMANO.</p>
<p>T6: Local Organization</p> <p>AUTORIZA AL MUNICIPIO DE MACHALA PARA QUE VENDA LOS SOLARES UBICADOS EN LAS ZONAS URBANAS DEL CANTON MACHALA SIN NECESIDAD DE PUBLICA SUBASTA. A FAVOR DE LOS ACTUALES POSESIONARIOS DE DICHAOS TERRENCOS.</p> <hr style="border: 0.5px dashed black;"/> <p>SE AUTORIZA AL MUNICIPIO DE DUALE VENDER LOS SOLARES UBICADOS EN LA ZONA URBANA DEL CANTON DUALE SIN NECESIDAD DE PUBLICA SUBASTA A LOS ACTUALES POSESIONARIOS DE SOLARES EN LA LOTIZACION LA VOLTA.</p>	<p>T7: Women's Rights</p> <p>Ley Org3nica Reformatoria a la Ley Contra la Violencia a la Mujer y a la Familia (Ley 103) Denominada Ley Org3nica Contra la Violencia de G3nero Hacia las Mujeres</p> <hr style="border: 0.5px dashed black;"/> <p>DE LA JUVENTUD.</p>	<p>T8: Local Development</p> <p>LEGALIZACION DE TERRENCOS A FAVOR DE LOS MORADORES Y POSESIONARIOS DE PREDIOS QUE SE ENCUENTRAN DENTRO DE LA CIRCUNSCRIPCION TERRITORIAL DEL CANTON DUALE.</p> <hr style="border: 0.5px dashed black;"/> <p>LOS IMPUESTOS ADICIONALES A LOS PREDIOS URBANOS SERAN RECAUDADOS DIRECTAMENTE POR LOS CONCEJOS MUNICIPALES Y SU RECAUDACION BENEFICARIA EN SU TOTALIDAD A ESTOS ORGANISMOS SECCIONALES.</p>	<p>T9: Fiscal</p> <p>CONDONACION DE CAPITAL, INTERESES, COMISIONES Y GASTOS JUDICIALES A LOS BENEFICIARIOS DE PRESTAMOS DE LAS SUCURSALES DE BAZA, LAGO KIBIRO Y FRANCISCO ORELLANA DEL BANCO NACIONAL DE FOMENTO.</p> <hr style="border: 0.5px dashed black;"/> <p>REFORMATORIA A LA LEY ORGANICA DE RESPONSABILIDAD, ESTABILIZACION Y TRANSPARENCIA FISCAL.</p>	<p>T10: Public Investment</p> <p>PROHIBESE POR EL LAPSO DE DOS A3OS EL AJUSTE DE LAS TARIFAS DE ENERGIA ELECTRICA, AGUA POTABLE, TELEFONOS, Y CAMIONES DE ARRENDAMIENTO.</p> <hr style="border: 0.5px dashed black;"/> <p>DECLARASE OBRA URGENTE Y DE PRIORIDAD NACIONAL LA TERMINACION DE LOS ESTUDIOS DEFINITIVOS Y CONSTRUCCION DE LA CARRETERA GRUPO SELVA ALEGRE-QUININDI.</p>
<p>T11: Civil</p> <p>INTERPRETATIVA DEL NUMERAL OCHO DEL ARTICULO 24 DE LA CONSTITUCION POLITICA DE LA REPUBLICA.</p> <hr style="border: 0.5px dashed black;"/> <p>INTERPRETATIVA DEL ARTICULO 101 DE LA CONSTITUCION POLITICA DE LA REPUBLICA</p>	<p>T12: Children's Rights</p> <p>Proyecto de Ley Reformatoria del C3digo Org3nico de la Ni3ez y Adolescencia, y, de la Ley Reformatoria al T3tulo V, Libro II del C3digo Org3nico de la Ni3ez y Adolescencia</p> <hr style="border: 0.5px dashed black;"/> <p>Proyecto de Ley Org3nica Reformatoria al C3digo Org3nico Integral Penal para la Protecci3n de Ni3as, Ni3os y Adolescentes</p>	<p>T13: Personal Recognition</p> <p>REFORMATORIO AL DECRETO LEGISLATIVO 01 PUBLICADO EN REGISTRO OFICIAL 366 DE 01/29/1990, POR EL CUAL SE CONCEDE PENSION VITALICIA A LA SE3ORA JUDITH PALACIOS VIUDA DE PALACIOS.</p> <hr style="border: 0.5px dashed black;"/> <p>CONCEDE PENSION VITALICIA MENSUAL A RAMIRO BOLA3OS, EUGENIO ESPINOZA, ANGEL SANCHEZ Y DANIEL GUANIN.</p>	<p>T14: Civil and Penal</p> <p>REFORMATORIA AL CODIGO DE EJECUCION DE PENAS Y REHABILITACION SOCIAL.</p> <hr style="border: 0.5px dashed black;"/> <p>REFORMATORIA AL CODIGO DE EJECUCION DE PENAS Y REHABILITACION SOCIAL.</p>	<p>T15: Civil and Penal</p> <p>REFORMATORIA AL CODIGO PENAL. (Incluir como delitos el robo de energ3a el3ctrica, de cables y l3neas telef3nicas)</p> <hr style="border: 0.5px dashed black;"/> <p>REFORMATORIA A LA LEY DE ELECCIONES.</p>
<p>T16: Monetary and Banking</p> <p>Proyecto de Ley Reformatoria al C3digo Org3nico Monetario y Financiero</p> <hr style="border: 0.5px dashed black;"/> <p>Proyecto de Ley Org3nica de Optimizaci3n y Eficiencia de Tr3mites</p>	<p>T17: Commerce</p> <p>CAMARAS DE MINERIA DEL ECUADOR.</p> <hr style="border: 0.5px dashed black;"/> <p>COMERCIO EXTERIOR E INVERSIONES.</p>	<p>T18: Decentralization</p> <p>CREACION DEL CANTON PABLO SEXTO EN LA PROVINCIA DE MORONA SANTIAGO.</p> <hr style="border: 0.5px dashed black;"/> <p>CREACION DEL CANTON TADAY EN LA PROVINCIA DEL CA3AR.</p>	<p>T19: Security</p> <p>ORGANICA REFORMATORIA A LA LEY DE PERSONAL DE LAS FUERZAS ARMADAS. (Grados de los miembros de las Fuerzas Armadas)</p> <hr style="border: 0.5px dashed black;"/> <p>REFORMATORIA A LA LEY DE SERVICIO CIVIL Y CARRERA ADMINISTRATIVA Y DE UNIFICACION Y HOMOLOGACION SALARIAL DE LAS REMUNERACIONES DEL SECTOR PUBLICO.</p>	<p>T20: Tributary</p> <p>REFORMA EL ARTICULO 3 DEL DECRETO LEGISLATIVO 136 DE LA LEY ESPECIAL QUE CREA EL FONDO DE EMERGENCIA NACIONALES.</p> <hr style="border: 0.5px dashed black;"/> <p>ESPECIAL DE TRIBUTACION.</p>

Figure B.2: Example Documents Highly Associated with Topics

significant, even though it has the same direction as the same variable from the models in Chapter 5. As was mentioned in Chapter 5, there is no expectation for the direction of magnitude of that variable. The rest of the controls are maintained. It is important to note that the interaction term of the election and rank variables is not significant for 6 months prior (compare to Table 5.8), but it does reach significance when estimating the model looking at one month before an election (see Figure B.3). On the other hand, using this topic model, the conclusion that elections trump ideology remain, as observed in Figure B.4, the predicted count of labor and capital interest group participation across different levels of ideological proximity, conditional on election season. It is important to note that the consistency of the models is expected. The estimation of the STM using spectral initialization allows for some thematic consistency across topics, and the specificity of the names of the bills helps limit the possibilities.

	IG Part. (Bill)	Labor Part. (Bill)	Capital Part. (Bill)	Academia Part. (Bill)
	Model 1	Model 2	Model 3	Model 4
Rank of Topic by Party of Chair	-0.093*** (0.020)	-0.096** (0.038)	-0.052 (0.035)	-0.143*** (0.031)
Rank of Topic by Period	0.023 (0.020)	0.018 (0.037)	0.026 (0.034)	-0.019 (0.030)
IG Participation by Committee	0.009*** (0.0004)	0.012*** (0.001)	0.001** (0.001)	0.006*** (0.0004)
Executive Bill	1.107*** (0.103)	0.931*** (0.180)	1.996*** (0.168)	0.604*** (0.147)
Chair Party of President	0.502*** (0.091)	0.183 (0.143)	0.528*** (0.138)	0.790*** (0.113)
plur_maj_party	-0.049 (0.090)			
Constant	0.049 (0.085)	-1.671*** (0.140)	-1.662*** (0.138)	-0.984*** (0.111)
N	2393	2393	2393	2393
θ	0.364*** (0.017)	0.142*** (0.012)	0.142*** (0.012)	0.236*** (0.018)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is all bills that reached committees (whether they were lobbied or not). The ranking variables are based on a $K = 20$ structural topic model estimation.

Table B.1: Explaining Interest Group Participation in the Ecuadorian Congress, 1979-2018

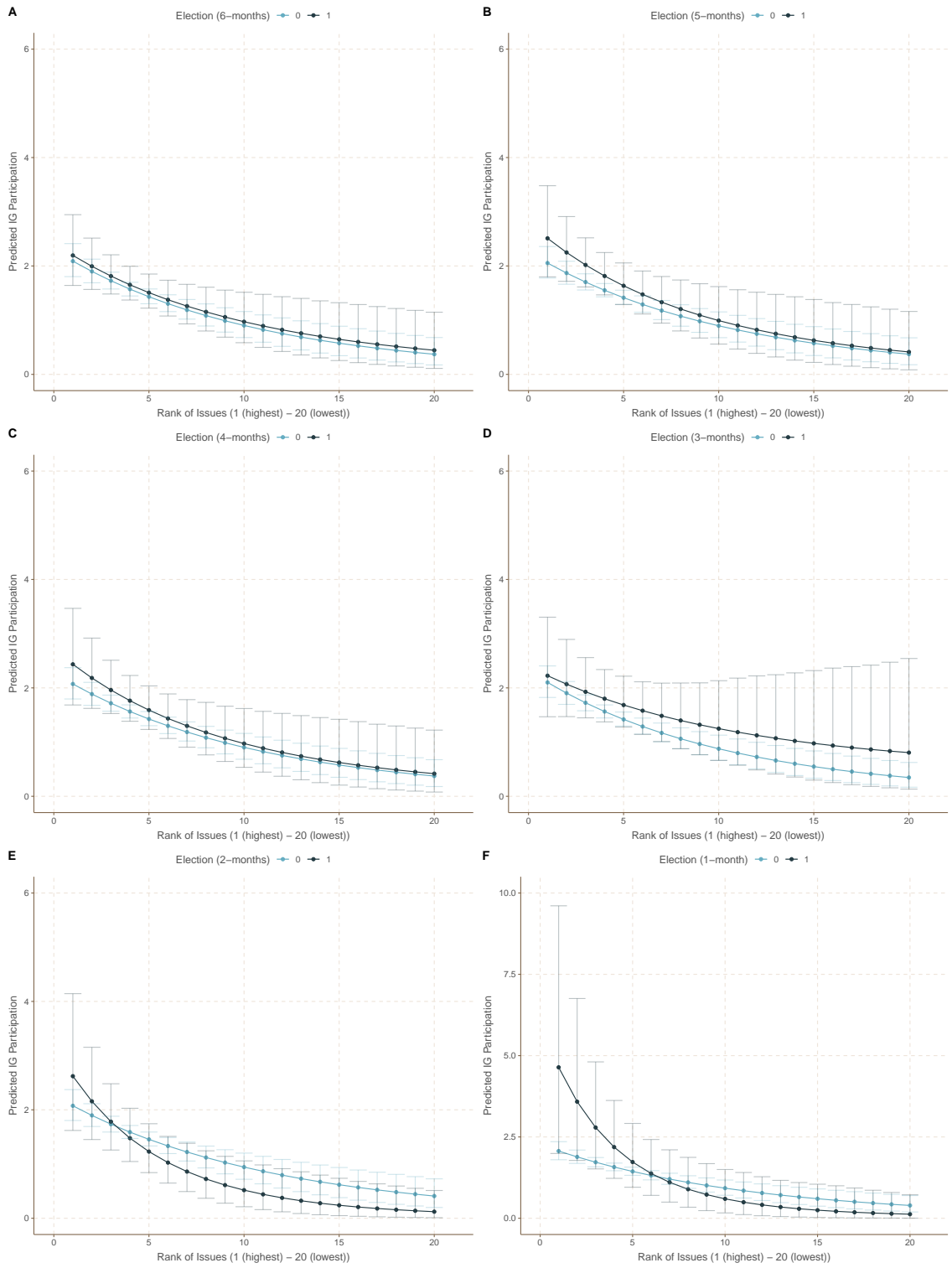


Figure B.3: Predicted count of interest group participation across different levels of issue salience, conditional on election season.

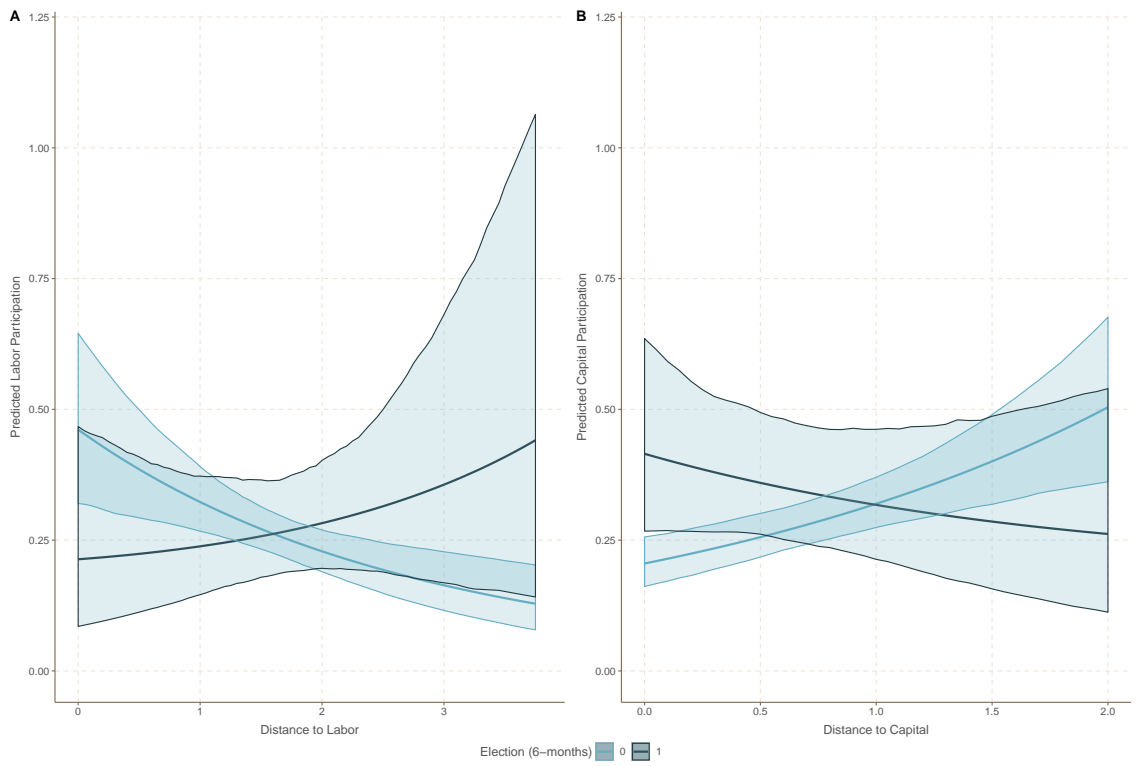


Figure B.4: Predicted count of labor and capital interest group participation across different levels of ideological proximity, conditional on election season.

Appendix C: Multilevel Modelling

As a robustness check for Chapter 5’s negative binomial estimations, I reevaluate some of the models using a multilevel negative binomial approach, to control for topic specific and committee effects. As mentioned in Chapter 5, the models have a number of variables with little or no variation across committees, periods, and party. Some effectively control for period-specific effects (e.g. total number of interest groups invited to a committee over a period), others are highly correlated with party and committee-specific effects (e.g. topic ranking). Overall topic ranking, for example, is fairly stable across time, and bills from a same topics will usually end up in the same committee. Thus, adding committee-specific, party-specific, or period-specific effects can be problematic for model convergence. For the basic model in Table 5.5, adding committee-specific effects or cohort-specific effects, for example, do not allow the model to converge and yields no results. Even when taking out the committees with very little activity, the committee-specific effect model does not converge (but coefficients are estimated and reported). Alternatively, I estimate a multilevel negative binomial model with random intercepts by topic of the main models as a robustness check.

Table C.1 show the results of the multilevel negative binomial model with

random intercepts by topic (random intercept are not reported). Our main variable of interest, ranking by topic for the party of the committee chair, maintains its predicted directions and is statistically significant. Compared to our main model, the coefficients are slightly lower when using the multilevel model. Likewise, the rest of controls have the same sign and statistical significance as the models in Table 5.5 from Chapter 5. Likewise, the multilevel negative binomial model with random intercepts by committee are reported in Table C.2. Note that the model did not converge, and the results come with a warning.

	IG Part. (Bill)	Labor Part. (Bill)	Capital Part. (Bill)	Academia Part. (Bill)
	Model 1	Model 2	Model 3	Model 4
Rank of Topic by Party of Chair	-0.053** (0.025)	-0.140*** (0.046)	0.043 (0.042)	-0.026 (0.036)
Rank of Topic by Period	0.067** (0.028)	0.189*** (0.053)	-0.018 (0.049)	0.007 (0.040)
IG Participation by Committee	0.007*** (0.001)	0.007*** (0.001)	0.002** (0.001)	0.006*** (0.001)
Executive Bill	1.023*** (0.110)	1.041*** (0.185)	1.499*** (0.181)	0.782*** (0.154)
Chair Party of President	0.191** (0.087)	-0.010 (0.147)	0.025 (0.156)	0.486*** (0.125)
Chair from Maj/Plural. Party	-0.222 (0.196)	-2.212*** (0.321)	-1.740*** (0.295)	-1.616*** (0.276)
N	2282	2282	2282	2282
Log Likelihood	-3664.210	-1401.317	-1429.387	-1784.243
AIC	7344.420	2818.635	2874.775	3584.486
BIC	7390.283	2864.497	2920.637	3630.348

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Multilevel negative binomial model, with random intercepts by topic. Random intercepts omitted. The unit of analysis is all bills that reached committees (whether they were lobbied or not).

Table C.1: Multilevel Count for Interest Groups Attending Committees

	IG Part. (Bill)	Labor Part. (Bill)	Capital Part. (Bill)	Academia Part. (Bill)
	Model 1	Model 2	Model 3	Model 4
Rank of Topic by Party of Chair	-0.025 (0.023)	-0.083** (0.041)	0.048 (0.041)	0.027 (0.034)
Rank of Topic by Period	0.060** (0.024)	0.141*** (0.041)	-0.018 (0.044)	0.011 (0.036)
IG Participation by Committee	0.004*** (0.001)	0.003*** (0.001)	0.001* (0.001)	0.003*** (0.001)
Executive Bill	0.984*** (0.104)	1.036*** (0.153)	1.536*** (0.177)	0.718*** (0.146)
Chair Party of President	-0.071 (0.090)	-0.211 (0.151)	-0.099 (0.166)	0.046 (0.134)
Chair from Maj/Plural. Party	0.289 (0.238)	-1.762*** (0.370)	-1.505*** (0.281)	-1.447*** (0.330)
N	2282	2282	2282	2282
Log Likelihood	-3580.450	-1306.108	-1422.960	-1732.824
AIC	7176.900	2628.215	2861.921	3481.648
BIC	7222.763	2674.078	2907.783	3527.510

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Multilevel negative binomial model, with random intercepts by committee. Random intercepts omitted. The unit of analysis is all bills that reached committees (whether they were lobbied or not).

Table C.2: Multilevel Count for Interest Groups Attending Committees

Appendix D: Ideological Proximity and Interest Groups Participation

Table D.1 estimates the restricted model of ideological proximity and interest group participation used in Figures 5.5 and 5.6.

	IG Part. (Bill)		Labor Part. (Bill)		Capital Part. (Bill)	
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Distance of Sponsor to Chair	-0.494*** (0.092)	-0.127 (0.118)	-0.372** (0.150)	-0.253 (0.208)	-0.579*** (0.162)	-0.132 (0.207)
Distance of Sponsor to Floor Median	0.304** (0.123)	-0.101 (0.161)	0.278 (0.196)	-0.092 (0.277)	-0.723*** (0.229)	-0.782** (0.316)
Chair Party of President		1.403*** (0.114)		0.817*** (0.189)		1.199*** (0.192)
Sponsor to Chair * Chair Party of President		-0.725*** (0.174)		-0.225 (0.295)		-0.799** (0.316)
Sponsor to Floor * Chair Party of President		0.758*** (0.233)		0.559 (0.390)		0.182 (0.450)
Constant	1.080*** (0.060)	0.256*** (0.077)	-0.850*** (0.096)	-1.273*** (0.129)	-0.376*** (0.098)	-1.059*** (0.129)
N	2093	2093	2093	2093	2093	2093
θ	0.220*** (0.009)	0.264*** (0.012)	0.099*** (0.008)	0.109*** (0.009)	0.093*** (0.007)	0.105*** (0.008)

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. Negative binomial model that accounts and corrects for over-dispersion. The unit of analysis is bills that reached committees and were lobbied by all (Model 1 and Model 2), labor (Model 3 and Model 4) or capital (Model 5 and Model 6) interest groups. For bills introduced by the executive, the assigned ideal position was the median position of the party for that cohort.

Table D.1: Effect of Ideological Distance of Bill Sponsor on Interest Groups Participation, Restricted Model

Appendix E: Descriptive Figure of Ideological Location

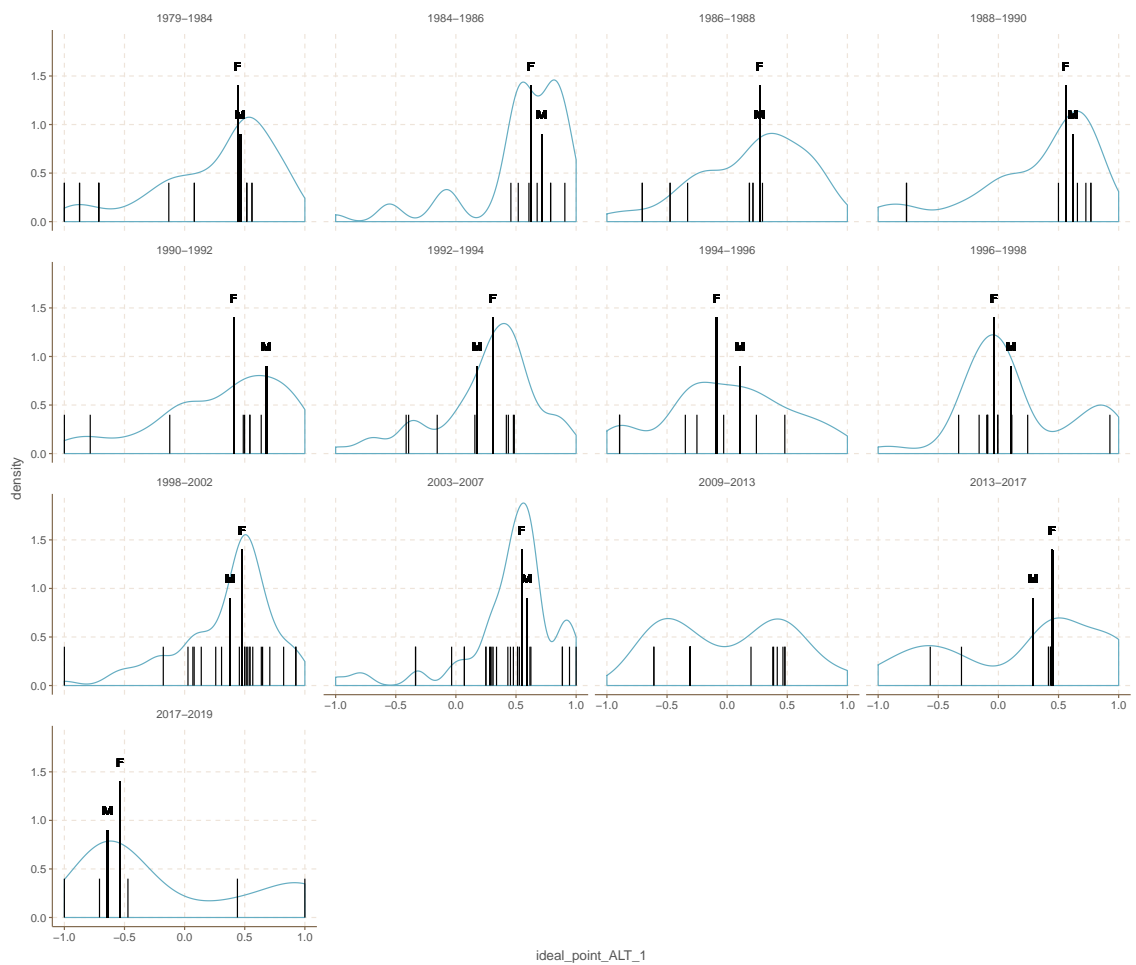


Figure E.1: Density Plots Describing the Ideological Location of House members. PSC and CREO fixed on the right. F-Line describes the median voter in the House floor. M-Line describes the median voter of the Majority/Plurality party. Shorter lines describe the committee chair position in each standing committee, 1979-2019. Jitter was not added to committee chair position, so lines overlap (e.g. 2013-2017, 2017-2019). No estimates for 2007-2008 for lack of Congress.

Appendix F: List of Interviews

<i>ID</i>	<i>Name</i>	<i>Position</i>	<i>Organization</i>	<i>Date</i>
	Alarcón, Patricio	Executive Director	<i>Comit Empresarial Ecuatoriano (CEE)</i>	Oct. 19, 2018
	Aspiazu, Patricio	President	<i>Cámara de Comercio de Quito (Chamber of Commerce of Quito)</i>	Oct. 19, 2018
	Baldeón, Genaro	President	<i>Asociación de Empresas Automotrices de Ecuador (AEADE)</i>	Oct. 24, 2018
	N/A	Staff	<i>Asociación de Empresas Automotrices de Ecuador (AEADE)</i>	Oct. 24, 2018
	Cely, Nathalie	Former Ecuadorian Minister	Ministry of <i>Coordinación de la Producción, Empleo y Competitividad</i>	Oct. 19, 2018.
	Cisneros, Christian	Executive Director	<i>Cámara de la Pequeña y Mediana Empresa de Pichincha (CAPEIPI)</i>	Oct. 17, 2018
	Dávila, Pablo	Former Executive President	<i>Cámara de Industria y Producción del Ecuador (CIP)</i>	Oct. 20, 2018
	Díaz, Javier	President	<i>Asociación de Industrias Textiles del Ecuador (AITE)</i>	Oct. 17, 2018
	Donoso, Patricio	Congressman (CAL Member)	<i>Asamblea Nacional del Ecuador</i>	Oct. 25, 2018
	Larreategui, Gabriela	Congresswoman	<i>Asamblea Nacional del Ecuador</i>	Oct. 19, 2018
	Legarda, Daniel	Executive President	<i>Federación Ecuatoriana de Exportadores (Fedexpor)</i>	Oct. 19, 2018
	Lloret, Juan Cristobal	Congressman	<i>Asamblea Nacional del Ecuador</i>	Oct. 24, 2018
	Martínez, Alejandro	Executive President	<i>Asociación de Productores y Exportadores de Flores del Ecuador (ExpoFlores)</i>	Oct. 24, 2018
	Muñoz, Pabel	Congressman (Committee Chair)	<i>Asamblea Nacional del Ecuador</i>	Oct. 23, 2018
	Prado, Julio José	Executive Director	<i>Asociación de Bancos Privados del Ecuador (AsoBanca)</i>	Oct. 23, 2018
	N/A	Staff	<i>Asociación de Bancos Privados del Ecuador (AsoBanca)</i>	Oct. 23, 2018 - Dic. 15, 2018
	Villagómez, Mónica	President of the Board of Directors	<i>Bolsa de Valores de Quito (BVQ)</i>	October 18, 2018
	Viteri, Ramiro	Executive Director	<i>Asociación de Administradoras de Fondos y Fideicomisos del Ecuador (AAFEE)</i>	October 23, 2018
	Walhi, Christian	Executive President	<i>Asociación Nacional de Fabricantes de Alimentos y Bebidas (ANFAB)</i>	Oct. 15, 2018
	N/A	Congressional Staff Member 1	<i>Asamblea Nacional del Ecuador</i>	Oct. 18, 2018 - Apr. 5, 2019
	N/A	Congressional Staff Member 2	<i>Asamblea Nacional del Ecuador</i>	Oct. 15, 2018 - Apr. 5, 2019
	N/A	Congressional Staff Member 3	<i>Asamblea Nacional del Ecuador</i>	Oct. 15, 2018 - Oct. 26, 2016
	N/A	Congressional Staff Member 4	<i>Asamblea Nacional del Ecuador</i>	Oct. 15, 2018
	N/A	Congressional Staff Member 5	<i>Secretaría Técnica - Asamblea Nacional del Ecuador</i>	Oct. 15, 2018
	N/A	Congressional Staff Member 6 (Retired)	<i>Secretaría Técnica - Asamblea Nacional del Ecuador</i>	Nov. 12, 2017
	N/A	Congressional Archive Staff Member 1	<i>Asamblea Nacional del Ecuador</i>	Oct. 17, 2018 - Apr. 3, 2019
	N/A	Congressional Archive Staff Member 2	<i>Archivo-Biblioteca de la Asamblea Nacional</i>	Oct. 17, 2018 - Apr. 3, 2019
	N/A	Congressional Archive Staff Member 3	<i>Archivo-Biblioteca de la Asamblea Nacional</i>	Oct. 17, 2018 - Oct. 23, 2018
	N/A	Member 1	<i>Colegio de Abogados de Pichincha</i>	Oct. 26, 2018
	N/A	Member 1	<i>Colegio de Ingenieros Civiles de Pichincha</i>	Oct. 26, 2018
	N/A	Member 1	<i>Colegio de Ingenieros Civiles de Pichincha</i>	Oct. 26, 2018
	N/A	Member 1	<i>Frente Unitario de Trabajadores (FUT)</i>	Oct. 22, 2018

Note: Keeping with privacy and ethical rules regarding interviewees, only members at top positions in their organization that have given their written consent are listed by name. These “elite” interviewees are easily identifiable and often public figures. All legislative staff members or staff at adjoining institutions are listed withholding their names or any other information that might reveal their identity. The same for non-elite members working for private organizations.

Table F.1: Effect of Ideological Distance on Interest Groups Participation

Appendix G: OLS Robustness Check

As a robustness check, I estimate the main models from Chapter 5 using Ordinary Least Square (OLS) estimation, rather than negative binomial. While on the one hand the nature of the dependent variable (highly skewed count) violates the assumptions of OLS, the use of negative binomial also assumes that the shape of the distribution of the data generation process is best represented by the negative binomial distribution. Still, OLS helps to reaffirm that the direction and magnitude of the effect is not an artifact of the model. The dependent variable for Model 1 in Table G.1, the main model, is participation by any interest groups in a committee debate. The other three models (Model 2 - Model 4) only count labor, capital, and academic interest group participation. The main variable of interest is the rank of the topic of the bill by the party of the chair. Note that the ranking goes from 1 (highest) to 15 (lowest), thus we expect a negative coefficient. The direction and magnitude of the main model, Model 1, are similar to those found from the negative binomial estimation in Table 5.5.

Model 1 and Model 2 in Table G.2 present estimates of interest group participation in committee debates. Meanwhile, Models 3 through 6 describe the estimates of labor and capital group participation. Again, this align with the estimates from

	IG Part. (Bill)	Labor Part. (Bill)	Capital Part. (Bill)	Academia Part. (Bill)
	Model 1	Model 2	Model 3	Model 4
Rank of Topic by Party of Chair	-0.122* (0.067)	-0.015 (0.015)	-0.025 (0.026)	-0.0003 (0.028)
Rank of Topic by Period	0.226*** (0.067)	0.038** (0.015)	0.009 (0.026)	0.087*** (0.028)
IG Participation by Committee	0.049*** (0.001)	0.006*** (0.0003)	0.001* (0.0005)	0.032*** (0.0005)
Executive Bill	3.580*** (0.319)	0.403*** (0.070)	1.703*** (0.126)	0.297** (0.132)
Chair Party of President	1.063*** (0.233)	0.039 (0.051)	0.410*** (0.092)	0.095 (0.097)
Chair from Maj/Plural. Party	-0.589** (0.235)	0.011 (0.052)	0.079 (0.093)	-0.693*** (0.098)
N	2394	2394	2394	2394

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. The unit of analysis is all bills that reached committees (whether they were lobbied or not).

Table G.1: Explaining Interest Group Participation in the Ecuadorian Congress, 1979-2018. OLS Estimation.

Table 5.6. The effect of ideological proximity to the committee chairs is presented in Figure G.1, matching Figure 5.6 from Chapter 5.

	IG Part. (Bill)		Labor Part. (Bill)		Capital Part. (Bill)	
	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
Distance of Sponsor to Chair	-0.753*** (0.229)	-0.108 (0.308)	-0.094* (0.050)	-0.048 (0.067)	-0.167* (0.093)	-0.042 (0.124)
Distance of Sponsor to Floor Median	0.453 (0.321)	0.568 (0.426)	0.079 (0.070)	0.051 (0.093)	0.053 (0.130)	0.160 (0.172)
Rank of Topic by Party of Chair	-0.118 (0.074)	-0.120 (0.074)	-0.012 (0.016)	-0.012 (0.016)	-0.026 (0.030)	-0.026 (0.030)
Rank of Topic by Period	0.195*** (0.075)	0.189** (0.074)	0.033** (0.016)	0.033** (0.016)	0.002 (0.030)	0.001 (0.030)
IG Participation by Committee	0.048*** (0.001)	0.048*** (0.001)	0.006*** (0.0003)	0.006*** (0.0003)	0.001* (0.001)	0.001* (0.001)
Executive Bill	3.505*** (0.341)	3.436*** (0.341)	0.395*** (0.074)	0.388*** (0.074)	1.688*** (0.137)	1.677*** (0.138)
Chair Party of President	1.370*** (0.258)	1.973*** (0.316)	0.090 (0.056)	0.114* (0.069)	0.471*** (0.104)	0.632*** (0.128)
Sponsor to Chair * Chair Party of President		-1.430*** (0.460)		-0.102 (0.100)		-0.276 (0.186)
Sponsor to Floor * Chair Party of President		-0.279 (0.638)		0.063 (0.138)		-0.247 (0.258)
Constant	-0.398 (0.284)	-0.620** (0.292)	0.014 (0.062)	0.007 (0.064)	0.125 (0.115)	0.063 (0.118)
N	2093	2093	2093	2093	2093	2093

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. The unit of analysis is bills that reached committees and were lobbied by all (Model 1 and Model 2), labor (Model 3 and Model 4) or capital (Model 5 and Model 6) interest groups. For bills introduced by the executive, the assigned ideal position was the median position of the party for that cohort.

Table G.2: Effect of Ideological Distance of Bill Sponsor on Interest Groups Participation. OLS Estimation

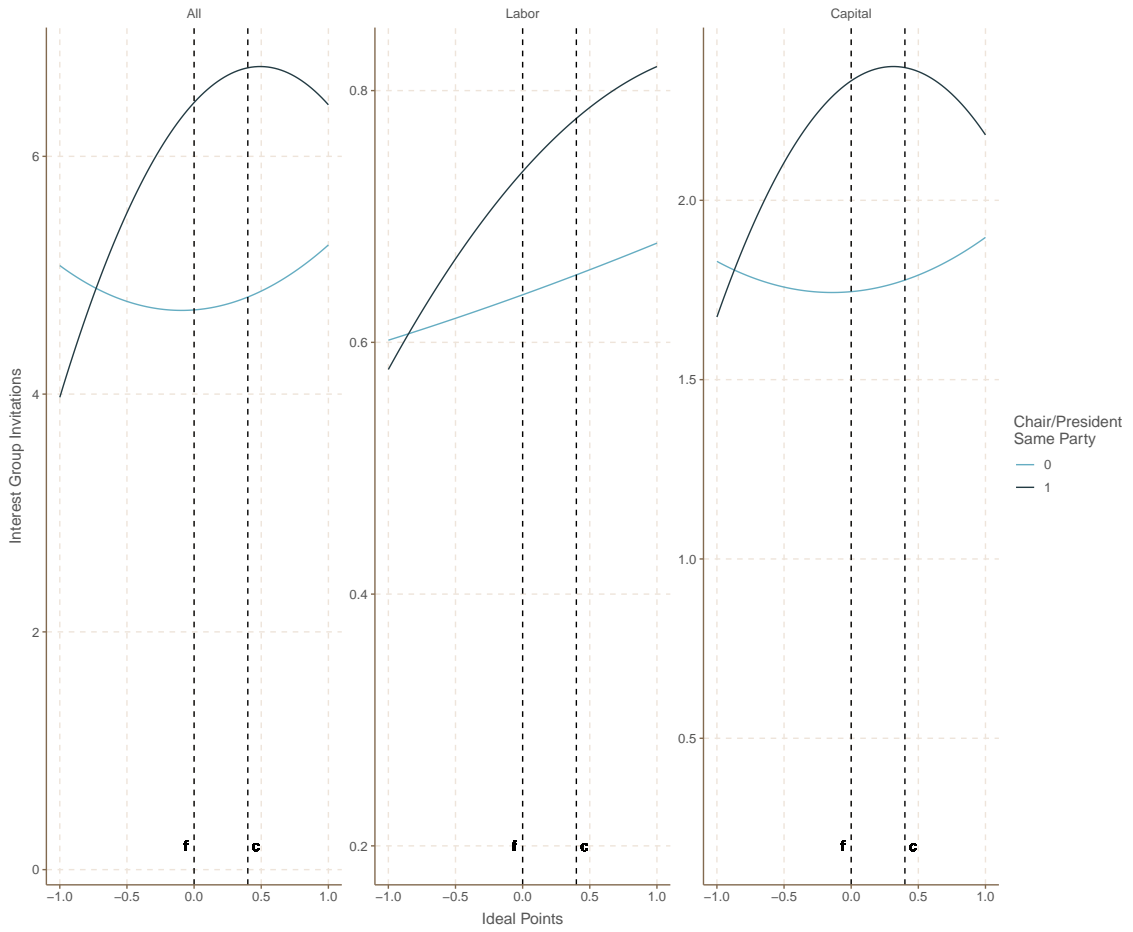


Figure G.1: Invitations to Committee by Interest Groups Type Conditional on Party of Chair and Legislative President; Ecuadorian Congress, 1979-2019. Median Floor voter (f) set to 0.0. Committee Chair (c) set to 0.4.

Finally, I present the interactive effect of elections (6 months prior) and our main variable of interest (Table G.3). For off-election months, the effect of issue ownership is maintained. In election season, the effect for each unit change is increased. Unlike the negative binomial estimation from Chapter 5, the interaction is not statistically significant, but the direction and magnitude are maintained.

	IG Part. (Bill)
Rank of Topic by Party of Chair	-0.105 (0.070)
Election (dummy)	0.121 (0.495)
Rank of Topic by Period	0.229*** (0.067)
IG Participation by Committee	0.049*** (0.001)
Executive Bill	3.595*** (0.319)
Chair Party of President	1.034*** (0.236)
Rank Party X Election	-0.105 (0.120)
Constant	-0.606** (0.258)
N	2394

Note: Standard errors are reported in parentheses, with confidence levels reported as follows: ***p < .01; **p < .05; *p < .1. The unit of analysis is all bills that reached committees (whether they were lobbied or not). The Election dummy is coded 1 for any bill debated 6 months prior to an election, and 0 otherwise.

Table G.3: The Effect of Election Cycle on Interest Group Participation. OLS Estimation.

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