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Loyal to the Executive: The Effect of State Capacity on Local Horizontal Accountability*

Leales al Ejecutivo: El efecto de la capacidad estatal en la rendición de cuentas horizontal local

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ABSTRACT

State capacity is often hypothesized to reinforce democracy, wherever democracy already exists. This article demonstrates that, at the local level, capacity can actually undermine democracy by making it harder for councilors to hold mayors accountable. Drawing on the comparative method, this work analyzes the effect of bureaucratic capacity on horizontal accountability (which is critical for liberal democracy) in four municipalities in Santiago, Chile. I argue that well-funded, professionalized, and usable bureaucracies allow mayors to monopolize relationships with local communities and, thus, marginalize municipal councils as key agents of local accountability. When bureaucracies lack capacity but not usability, mayors can still manage to avoid horizontal accountability by making access to municipal resources contingent upon councilors' loyalty. Municipal councils' inclination towards accountability is, however, greater when local bureaucracies are highly capable but not usable. Here, the local executive lacks influence over councilors' electoral support and, therefore, on their inclination towards accountability.

Keywords: Horizontal Accountability, State Capacity, Usability, Local Governments.

RESUMEN

La literatura sostiene que la capacidad estatal refuerza la democracia donde ésta ya existe. Este artículo demuestra que, a nivel local, esta capacidad puede, en realidad, socavarla. Comparando cuatro municipios de Santiago de Chile, el artículo analiza el efecto de la capacidad burocrática sobre una dimensión crítica para la democracia: la rendición de cuentas horizontal, observada en la fiscalización de los concejales sobre los alcaldes. Sostengo que burocracias capaces y utilizables permiten a los alcaldes aislar a los concejales de sus electores e inducir así su lealtad. Asimismo, las burocracias utilizables que carecen de capacidad permiten a los alcaldes intercambiar la lealtad de los concejales por acceso a recursos municipales. Los concejos municipales muestran mayor disposición a fiscalizar cuando las burocracias son capaces pero no utilizables, donde el ejecutivo carece de influencia sobre el apoyo electoral de los concejales y, por tanto, sobre su intención de fiscalizar.

Palabras Clave: *Accountability Horizontal, Gobiernos Locales, Capacidad del Estado, Usabilidad.*

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I. INTRODUCTION

The literature highlights state capacity's ability to reinforce and stabilize pre-existing regimes. In the case of democracy, authors have argued that the capacity and usability of the bureaucracy are essential for the provision of services and goods that help consolidate and improve it. These effects would also be visible in a critical dimension of liberal democracy in Latin America—horizontal accountability or the oversight and sanctions wielded by autonomous state agents over the executives. Research on subnational democracy in Latin America has addressed the presence of less-than-democratic regimes and practices of local executives, highlighting the executives' capacity to renovate themselves in office, frequently relying on (or accompanied by) an abusive or discretionary use of the public resources at their disposal. However, the literature has paid little attention to the factors hampering local accountability agents' ability to restrain their executives. This situation is more critical for municipal governments which have received little attention from the literature on subnational undemocratic regimes.

In this context, this article analyzes whether the positive effects of state capacity over horizontal accountability hold at the local level by analyzing the oversight duties of municipal councils under a strong-mayor model (where councilors and mayors are elected separately). It draws on the comparative method to describe and evaluate how bureaucracies affect councilors' inclination towards holding local executives (the mayor and her administration) accountable. The article analyzes four cases (municipalities) taken from Santiago de Chile, where councilors are formally mandated and in a privileged position to hold local executives accountable.

In line with the literature on subnational undemocratic regimes and practices, this article finds that local executives play a significant role in dissuading horizontal accountability. Moreover, it describes how patrimonial administrations can allow mayors to use public resources to discourage accountability agents. However, contrary to the expectations coming from the literature, it finds that bureaucratic capacity and usability can not only fail to reinforce, but also undermine local democracy by isolating councilors from local voters, making them electorally dependent on the mayor and, therefore, disempowering them from holding the mayor accountable.

II. LOCAL HORIZONTAL ACCOUNTABILITY AND BUREAUCRACY

This article analyzes *horizontal accountability,* conceiving it as a critical determinant of the quality of democracy. The literature on democracy has frequently described how democratically elected rulers can engage in undemocratic behavior—ranging from improper use of public resources to violations of human

rights (Schedler, Diamond, and Plattner 1999; Mainwaring 2003). In contrast to *liberal* democracy, these *delegative* democracies allow whoever wins a presidential election to govern as she sees fit, without more constraints than the term limits of office (O'Donnell 1994, 59). These distinctions have translated directly into *degrees* or *quality* of democracy, where liberal implies *more* or *better* democracy (Diamond and Morlino 2004).

In this context, scholars highlight horizontal accountability as critical for improving democracy, especially due to its capacity to curb the corruption, the impunity of state actors, and the improper use of resources that characterize the arbitrary use of power in illiberal and delegative democracies. Therefore, horizontal accountability is expected to improve the legitimacy and quality of democracy, thus prompting the transition to its liberal version (O'Donnell 1994; Schedler, Diamond, and Plattner 1999; Mainwaring 2003; Diamond and Morlino 2004).

Analyzing horizontal accountability at the local level is of particular relevance in Latin America. In the context of the transitions moving out from under dictatorship, decentralization has promised to strengthen democracy, through deconcentrating power, overcoming exclusionary and undemocratic structures, and improving the delivery of services (Devas and Delay 2006; Kersting et al. 2009; Montero and Samuels 2004). However, decentralization often resulted in the development and maintenance of subnational undemocratic practices (Gibson 2005) that replicate the illiberal democratic pattern commonly observed at the national level.

These subnational undemocratic regimes have been mostly studied at the state/province level, although there is ample evidence of the fact that municipal governments are also affected by similar situations (Pino 2017). Municipal councils in Latin America are commonly expected to play a significant role in scrutinizing the operation of the local executive and compensate for the deficiencies of other oversight institutions. However, they usually wield only limited oversight over local executives (Devas and Delay 2006; Kersting et al. 2009; OECD 2017).

State capacity is one of the factors that can have a severe impact over democratic consolidation and the performance of accountability agents.[1] Bureaucracies, and Weber's distinction between *patrimonial* and *bureaucratic* administrations, play a critical role in these effects. Patrimonial administrations lack a separation between *private* and *official* spheres, thus prompting the arbitrary use of public office. Bureaucratic administrations, on the other hand, privilege an impersonal and rationalized management of public office, characterized by rule-oriented government, predictability, and meritocracy (Bellin 2004; Mazzuca 2012). Therefore, the bureaucratic character of public administrations is

[1] See, for example, Mazzuca and Munck (2014).

regarded as essential for states to support already existing democratic regimes since it allows, for example, the successful provision of basic public goods and enforcement of citizen rights, and the strengthening of democratic states' legitimacy (Linz and Stepan 1996; Suleiman 1999; Mazzuca 2012). Regarding horizontal accountability, the literature suggests that the presence and efficacy of oversight institutions depend on the existence of an effective, honest, and well-funded bureaucracy (Fortin 2012). Taking these points one step further, Mazzuca (2012) dissociates horizontal accountability from democratization and characterizes its failures (with the consequent arbitrary use of power) as a matter of patrimonial (non-bureaucratic) exercise of state power.

Linz and Stepan (1996, 10–11, 250–51) add another characteristic to Weberian bureaucratic administrations. For democracies to successfully consolidate, the corresponding bureaucracies must be also *usable* to the current governments. The authors do not offer a literal definition of usability, although they differentiate it from a functioning state, and characterize it as the support that professional bureaucrats offer to the elected authorities, which allows the latter to effectively "command, regulate, and extract." Therefore, we can understand bureaucratic usability as bureaucrats' willingness to cooperate with the current government in its attempt to govern effectively. Without this availability of bureaucrats to serve under the command of the elected authorities, the state becomes incompetent, regardless of its resources and the competences of the bureaucrats.

According to the authors, bureaucracies that are both effective and usable are the ones capable of protecting citizens' rights, delivering basic goods and services and performing the state functions that legitimize and strengthen democracy. By contrast, bureaucracies that are staunchly loyal to previous administrations become unusable and, therefore, tend to fail to provide the goods and services that help in consolidating democracy.

Does the reinforcing effect of bureaucracy on democracy hold at the local level? As Pino (2017) noted, the literature on subnational undemocratic regimes and practices in Latin America generally gives high relevance to subnational executive's ability to reproduce and maintain undemocratic regimes and practices. This ability certainly includes elements that do not involve the local bureaucracy—for example, influencing national politicians (Gibson 2005; Giraudy 2013) or the local media (Behrend 2011; Durazo Herrmann 2017), and access to paramilitaries.[2] However, authors have also argued that patrimonial administrations play a significant role, allowing executives to use state resources discretionally to, for example, finance clientelistic machines, and also affect horizontal accountability by harassing the opposition and obstructing checks and balances (Gervasoni 2010; Durazo Herrmann 2010; Pino 2017; Došek 2019).

[2] For further references about this point, see Pino (2017, 230).

Against this background—and focusing on the conditions that allow the formation and maintenance of undemocratic regimes and practices rather than these regimes and practices themselves—this article analyzes the effect of local bureaucratic capacity on horizontal accountability, as exercised by municipal councils under a strong-mayor model (where councilors and mayors are voted into office by means of different ballots), and where councilors have substantive oversight powers (e.g., they can interrogate bureaucrats and request external audits) but have a part-time appointment with low resources at their disposal. It argues that capable and usable local bureaucracies not only can fail to reinforce, but also may harm local horizontal accountability.

As the cases analyzed show, bureaucracies can discourage councilors' accountability duties based on their capacity to interfere in the support that councilors receive from their constituencies. First, highly capable and usable bureaucracies that are efficient in addressing communities' needs tend to render councilors irrelevant in the eyes of the voters, thus isolating the councilors from these communities. Since these communities can have a satisfactory direct interaction with local bureaucracies, they have lower incentives to engage in interactions with councilors. Second, with these bureaucracies, the service that councilors offer to local communities in other contexts (i.e., intermediating their demands vis-á-vis the municipal administration) is no longer needed, which makes it harder for councilors to develop two classical strategies for gaining voters' support—constituency service and claiming credit for local problem solving (Mayhew 1974; Cain, Ferejohn, and Fiorina 1987; Auyero 2000). Under these circumstances, these councilors frequently become dependent on the mayor's influence over the electorate to obtain constituent support, which discourages them from holding the local executive accountable.

However, consistent with the literature, the lack of bureaucratic capacity does not encourage horizontal accountability either. Moreover, if the bureaucracy remains usable to the mayor, it can play a central role in the mayor's attempt to exchange councilors' loyalty for access to municipal resources that councilors can distribute among their voters. Councilors' inclination towards overseeing the mayor is greater when local bureaucracies are not usable. In this case, even if the bureaucracy is highly capable, the local executive loses its influence on the councilors' relationship with local communities and, therefore, on councilors' willingness to hold them accountable.

III. CHILE AS A CASE STUDY[3]

Four cases (municipalities) from Santiago de Chile were selected for this research. Chile provides a context of a sustainable state and a consolidated de-

[3] For further reference about this section, see Ley Nº 18.695 Orgánica Constitucional de Municipalidades, and Ley Nº 18.883 Aprueba Estatuto Administrativo Para Funcionarios Municipales.

mocracy, where corruption is comparatively low, and local electoral democracy is robust (Bland 2011; Transparency International 2012; Marshall and Gurr 2014; The Fund for Peace 2019).

Like most countries in Latin America, Chile's local governments have followed, since 2004, a Strong Mayor model, where the local executive and the local legislature are elected separately through popular vote. Both mayors and councilors are elected every four years and can be reelected indefinitely.[4] Mayors are elected under a plurality system and councilors under a single-district open-list proportional representation system. As Hinojosa and Franchestet (2012) argued, the 2004 change in local elections' rules increased competition in the councilors' elections and reduced the discipline that parties required from councilors to get one of their candidates elected mayor. Compared to other countries in the region, municipal councils in Chile are rather small—six to ten councilors (Kersting et al. 2009).

Municipal councils in Chile are mandated to oversee local executives and endowed with formal powers for that duty. Municipal councils can, for example, summon any head of municipal departments for interrogation, and the mayor is required to respond promptly to any information request made by the councilors. Councilors also can request external audits to assess specific processes. The law does not provide councilors with any formal mechanism for sanctioning local executives, although they can punish them indirectly by submitting complaints to sanctioning state agents (Rosales 2007). However, municipal councils in Chile, as elsewhere in Latin America, usually wield a limited oversight over local executives (Kersting et al. 2009; OECD 2017).

Mayors remain preponderant figures in Chile's local politics, as they usually do in Latin America. Municipal councils participate in municipal decision-making. However, the mayor alone sets the agenda for issues to be voted upon, and the council cannot make changes to the budget proposed by the mayor. Moreover, the status and resources of municipal councils—characterized by low pay, part-time hours, and a lack of formal resources and staff to perform their duties—are in sharp contrast with those of mayors, who have a full-time schedule and salary (Rosales 2007; Kersting et al. 2009). Mayors also have *de facto* discretionary control over the appointment and career development of municipal bureaucrats, which gives them wide control over the bureaucracy and has allowed them to use public employment to generate and maintain networks for voter mobilization (Toro 2016; Corvalan, Cox, and Osorio 2018). However, research has found a gender gap in these regards, where women

[4] Since 2020, mayors and councilors can be reelected up to two times (a maximum of three consecutive periods in total). See Ley Nº 21.238 Reforma Constitucional Para Limitar la Reelección de las Autoridades que se Indica.

mayors tend to reduce the number of public employees (Alberti, Diaz-Rioseco, and Visconti 2022).

Chilean local governments remain independent from national politics to a great degree, especially since national parties are unable to oppose the nomination of incumbent candidates, and party elites usually leave local politicians unchecked (Rosales 2007; Luna and Altman 2011). However, local governments have a strong financial and functional dependence on the national state, which is common throughout the region (Nickson 2011; Fernández Richard 2013) and has allowed national governments to benefit mayors from the governments' party coalition by allocating more funds to their municipalities (Lara and Toro 2019).

IV. CASE SELECTION

The four municipalities selected for this research were Estación Central, Quinta Normal, Providencia, and Las Condes, and were analyzed for the term between December 6, 2012, and December 6, 2016. As Table 1 shows, these cases can be grouped according to the financial resources and level of professionalization of the municipalities, which coincided with the socioeconomic level of their respective *comunal*[5] populations. Each of those groups has one case whose mayor was a man from the center-right and one case whose mayor was a woman from the center-left. The cases also vary along the municipalities' levels of party competition, according to the margin of victory in previous municipal elections, and the party composition of the council. Here the two municipalities with a low bureaucratic capacity presented moderately high levels of party competition, while the two with high levels of bureaucratic capacity presented opposed levels of competition.

[5] A *comuna* is the territory under the administrative control of a municipality.

Table 1. Characterization of Cases

Cases	Bureaucratic Capacity	Comuna's Socio-economic Status	Party competition	Councilors per Coalition[a]			Party of the Mayor (Coalition[a])
				Nueva Mayoría	Alianaza	Total	
Las Condes	High	High	Low	1	8	**9**	UDI (Alianza)
Estación Central	Low	Mid-Low	Mid-High	5	3	**8**	UDI (Alianza)
Quinta Normal	Low	Mid-Low	Mid-High	5	3	**8**	DC (Nueva Mayoría)
Providencia	High	High	High	4	4	**8**	Indep. (Nueva Mayoría)

[a] *Alianza* was a center-right coalition, comprised of *Unión Demócrata Independiente* (UDI) and *Renovación Nacional* (RN) parties. *Nueva Mayoría* was a center-left coalition, made of the Christian Democratic (DC), the Socialist (PS), the Radical (PR), the *Partido por la Democracia* (PPD), and the Communist (PC) parties.

V. VARIABLES AND ANALYSIS

The article takes as the dependent variable, the municipal councils' *disposition* to hold mayors accountable—instead of their capacity to do so or actual instances of accountability. This disposition is understood here as *willingness to act*, thus highlighting it as an intrinsic and latent characteristic, which can materialize into concrete actions when specific conditions are met. This *willingness to act* is fundamental for the actual exercise of horizontal accountability. It highlights the element of potentiality that allows horizontal accountability to control state agents and allows assessing accountability independently of these agents' good or bad behavior (Mulgan 2000; O'Donnell 2003).

This variable was measured considering three sources of information—sixty-six semi-structured interviews with critical actors, eighty-eight printed and electronic news media reports, and fifteen councilors' reports to the Comptroller General's Office against the local executive[6]. The interviews were conducted in 2015 and 2016. These actors include councilors, municipal bureaucrats, neighborhood associations' leaders, and congresspersons representing these *comunas*. All councilors and congresspersons were contacted, and those willing to participate in the research were interviewed. The selection of municipal bureaucrats and leaders of neighborhood associations followed a snowball sampling method, starting from the suggestions made by the councilors interviewed, and using a saturation of information criterion.

[6] Based on councilors' requests for a formal opinion from the Comptroller General regarding a specific case. Councilors can also request a formal investigation from the Comptroller General's Office. However, councilors can make these requests anonymously, and even if they do them openly, the names of the people who make them are not readily available to the public.

The measurement of the dependent variable started with the aggregated assessment of councilors' individual disposition, which was then complemented with the perceptions about Municipal Councils as a whole. This strategy allowed incorporating both councilors' individual disposition and the Municipal Councils' willingness to implement mechanisms of accountability that require the consent of the majority. Councilors were individually categorized as either loyal, skeptical, or ambivalent to their mayor. *Loyal* councilors did not report the local executive to the Comptroller General's Office and did not appear criticizing the mayor in the news. *Skeptical* councilors either reported the local executive to the Comptroller General's Office or appeared in the news predominantly criticizing the mayor. *Ambivalent* councilors, in general, did not report the local executive to the Comptroller General's Office and either appeared in the news indistinctly supporting and criticizing the mayor or appeared in the news no more than once. This categorization was consistent with the predominant perceptions expressed in the interviews.

The municipal councils' disposition to hold the mayor accountable was categorized as either Low, Medium, or High, considering the proportion of loyal, skeptical, and ambivalent councilors, and the general perceptions about Municipal Councils as a whole. They were categorized as *Low* if at least two-thirds of the councilors were identified as loyal, and the interviews reported, predominantly, a generalized loyalty to the mayor (Las Condes). They were categorized as *Medium* if councilors were evenly distributed between loyalists, ambivalent councilors, and skeptics (Estación Central), or if the skeptical councilors numbered one councilor below half of the council (Quinta Normal). Here, a significant number of councilors were available to hold the mayor accountable, but it was challenging for them to implement oversight mechanisms that required the support of the majority. It was, finally, categorized as *High* if most councilors showed a high disposition to hold the mayor accountable (Providencia).

Following Hendrix's (2010) assessment of measurement strategies for state capacity, I relied on bureaucratic capacity to account for this variable. Bureaucratic capacity was investigated, primarily, through the professionalization level and size of municipal bureaucracies, thus accounting for one of the three dimensions of state strength identified by Giraudy (2012).[7] This measurement was complemented with bureaucracies' availability of financial resources they can resort to while addressing communities' demands, and qualitative assessment of their ability to receive and respond to local demands (including procedures and rules). Adapting Giraudy's (2012) dimension of territorial reach to the municipal level, I included municipal bureaucracies' proactive involve-

[7] Recommendations for addressing this dimension usually include, also, state performance in the provision of public services and tax revenues (See, for example, Soifer 2012). However, in the case of Chile, it is not obvious how to disentangle the performance of municipalities in these regards from the aid they receive from the national government. Similarly, making accurate comparisons regarding tax revenues requires measurements of the economic activity in the respective units, however this information that is not available at the *comunal* level in Chile.

ment with local communities (including procedures, activities, and financial support to these communities). These dimensions where measured, resorting to interviews with critical actors, and public information that is available in Chile's National System of Municipal Information,[8] the CASEN 2015 survey,[9] and Chile's Ministry of Finance.

Finally, I included Linz and Stepan's (1996) dimensions of bureaucratic usability to replace Giraudy's (2012) autonomy from non-state actors. Bureaucratic usability was operationalized as bureaucrats' loyalty to the mayor. Autonomy and usability (or loyalty) are strongly related, although they are not equivalent—while high loyalty requires a high level of bureaucratic autonomy from non-state actors, low levels of loyalty do not necessarily imply an increased presence of external influences. I chose usability to highlight the benefits of a cooperative bureaucracy (and the problems of an obstructive one) in addressing the goals set by the local political authority and which is, therefore, prone to realize the potentiality that bureaucratic capacity implies. Bureaucratic usability was observed through interviews with relevant actors and was operationalized considering the perceived loyalty of bureaucrats to the current mayor or previous administrations, the presence of mechanisms to enforce loyalty, and the perceived presence (or absence) of a significant group of uncooperative bureaucrats.

The relationship between these variables was investigated following Wirls's (2015) *institutional power model*. Three paired relationships were considered in this analysis: councilors- communities; councilors-executives; and communities-executives. These relationships were studied primarily through semi-structured interviews with critical actors. The dimensions analyzed in these paired relationships were determined inductively, in accordance with the interviews' results. They include councilors' history of involvement with local communities (councilors-communities), the coordination between councilors and local executives to address local demands (councilors-executives), the executives' delivery of public goods and services, and their role in promoting community associations (executives-communities).

VI. THE DEPENDENT VARIABLE IN THE CASES: COUNCILORS' DISPOSITION FOR HORIZONTAL ACCOUNTABILITY

As Table 2 shows, the cases analyzed vary in terms of councilors' disposition to hold mayors accountable. The Municipal Council of Las Condes showed the lowest levels in this regard. The majority of its members (six out of nine) were recognized as unfalteringly loyal to the mayor and the council as a whole

[8] *Sistema Nacional de Información Municipal* (SINIM).

[9] The CASEN survey is a periodical public survey that collects information to produce a socioeconomic breakdown of the population.

was frequently described as *"very collaborative with the mayor,"* where *"in the end, everyone supports [him]"* (Loyal UDI Councilor 2, Las Condes). Only three councilors showed a more questioning stance, and only one of them (the single councilor from an opposition party) was recognized as decidedly skeptical about the mayor and his administration. Consistently, this skeptical councilor is the only one appearing often in the national news media, either criticizing or opposing the mayor or his administration. However, even this councilors was described as frequently *"end[ing] up voting as the mayor asks"* (Ambivalent RN Councilor 2, Las Condes).

Table 2. Municipal Council's Disposition for Horizontal Accountability

Cases	Councilors' Disposition for Horizontal Accountability[a]											Council's Disposition
	Mayors' Coalition				Opposition Parties				Total			
	Loy	Amb	Skep	Total	Loy	Amb	Skep	Total	Loy	Amb	Skep	
Las Condes	6	2	0	**8**	0	0	1	**1**	**6**	**2**	**1**	**Low**
Estación Central	2	1	0	**3**	1	2	2	**5**	**3**	**3**	2	**Medium**
Quinta Normal	3	0	2	**5**	2	0	1	**3**	**5**	**0**	**3**	**Medium**
Providencia	3	0	1	**4**	0	0	4	**4**	**3**	**0**	**5**	**High**

[a] Loy = loyal councilors; Amb = Ambivalent councilors; Skep = skeptical councilors.

The Municipal Councils of Estación Central and Quinta Normal presented a moderate disposition to hold their mayors accountable. In Estación Central, over one-third of the councilors (3) were identified as holding an ambivalent stance towards the mayor. The first of them was from the mayor's party and was described as "*independent"* (Skeptical PS Councilor, Estación Central) or *"unruly, [usually] criticizing the administration"* (Loyal UDI Councilor 1, Estación Central). He admitted to have a distant relationship with the mayor and being *"not willing to be [the mayor's] useful fool"* (Ambivalent UDI Councilor, Estación Central)—although he usually backed the mayor, supporting him in critical roll-call votes in the council. The other two ambivalent councilors came from opposition parties, one of them, the Ambivalent PS who *"used to support the mayor, but […] she switched sides,"* while the Ambivalent PDC *"sometimes supports the opposition and sometimes supports the mayor"* (Skeptical PS Councilor, Estación Central). The two skeptical councilors came from opposition parties. They were consistently identified as highly critical of the mayor, and in most of their appearances in the news media, they criticized the mayor or his administration. On one occasion, one of them also reported the mayor to the Comptroller General's Office. Three councilors were identified in the interviews as loyal to the mayor. Surprisingly, among them was a councilor from an opposition party, who was described to be *"like he was from the [mayor's party]—he […] votes for everything in favor of the mayor"* (Skeptical PS Councilor, Estación Central). In an interview, he openly defended the mayor and his administration and criticized the councilors who opposed him.

In Quinta Normal, councilors were clearly divided between loyalists and skeptics of the mayor, where the second group was one councilor below half of the council (three out of eight). These groups cut across partisan divisions. Two councilors of opposition parties were identified as loyal, usually described as *"personally close to the mayor"* (Loyal PDC Councilor 2, Quinta Normal), who have *"approved all [the mayor's] projects,"* and who, along with the other loyal councilors, shielded the mayor against the attempts to hold her accountable—e.g., by not providing the quorum necessary for the session (Skeptical PS Councilor, Quinta Normal). Similarly, two councilors of the mayor's coalition were identified as skeptical of the mayor, while, in their interviews, they openly criticized the mayor and her administration. Consistently, one of them reported the mayor and her administration to the Comptroller General's Office on four occasions, and the other one concentrates all the appearances of councilors in the news media, manifesting, in all of them, either a skeptical or an ambivalent stance towards the mayor.

Finally, in Providencia, a majority of councilors showed a strong disposition to hold their mayors accountable (five out of eight). Here, the stark division between allies and skeptics of the mayor overlapped almost perfectly with the corresponding party divisions in the Municipal Council, with the councilors from the mayor's coalition remaining loyal to her and the ones from opposition parties holding a skeptical stance. The only exception—tilting the balance towards the skeptics—was a councilor from the mayor's coalition who, after an early personal conflict with her, joined the opposition councilors. Thus, he was reported to *"vote on many things in accordance with [the opposition],"* *"work with [them] to remove the mayor from office"* (Loyal PS Councilor, Providencia), and left *"many projects in a difficult position"* for their approval (Loyal PDC Councilor, Providencia). He also appeared in the news media criticizing the mayor and joined the skeptical councilors to present one report against the mayor to the Comptroller General's Office.

The following sections explain these variations relying primarily on the mayors' capacity to influence councilors based on their organizational features—their usability and capacity to address local communities' demands, the internal procedural rules regulating bureaucrats' interactions with councilors, and the resources that they can distribute among councilors.

As Table 1 and Table 2 show, these councils' disposition for horizontal accountably varies across the socioeconomic status of the corresponding populations, thus contradicting explanations based on constituents' pressure on their representatives to hold other authorities accountable (expected to be higher among people of higher socioeconomic status).[10] Partisan alignments and party competition offer another viable alternative explanation, which will be addressed in a special section later in this article.

[10] See, for example, Lankina (2008).

VII. CAPABLE BUREAUCRACIES AND ISOLATED COUNCILORS

As Las Condes illustrates, highly capable and usable municipal bureaucracies have an organizational advantage over municipal councils in their efforts to obtain local constituents' support. This advantage ultimately translates into councilors' isolation from local communities and their subsequent need to rely on the help of the executive to increase their constituent support.

Las Condes' municipal bureaucracy was characterized by its high capacity and loyalty when receiving and responding to local demands, its abundant availability of resources (see Table 3), and its active involvement in local communities.

Table 3. Municipalities' Own Income and Transferences of Public Funds to Private Organizations 2013-2016 (Amounts in thousands of pesos)

	Municipalities' Own Income				Transferences to Private Organizations			
Municipality	**Total Annual Average (Rank[a])**		**Per Capita Annual Average (Rank[a])**		**Total Annual Average (Rank[a])**		**Per Capita Annual Average (Rank[a])**	
Las Condes	110,051,792	(1)	386	(4)	36,563,075	(1)	128	(1)
Providencia	56,457,004	(5)	396	(3)	8,673,626	(5)	61	(3)
Estación Central	17,481,034	(17)	129	(11)	453	(20)	3	(18)
Quinta Normal	9,564,115	(29)	90	(27)	63	(27)	0.005	(26)
Average*	26,415,553		152		4,402,295		41	

[a] Rank and Average considering the 34 municipalities in Santiago.
Source: Created by the author based on information from *Sistema Nacional de Información Municipal* (SINIM), retrieved November 15, 2017 from http://www.sinim.gov.cl. Data on municipalities' transferences of public funds to private organizations obtained from *Registro Central de Colaboradores del Estado* of Chile's Ministry of Finance (*Ministerio de Hacienda)*, according to the law Nº 19862 (retrieved November 15, 2017 from https://www.registros19862.cl). Municipalities' average was obtained considering only the years for which they reported data on this item.

Table 4. Size and Level of Professionalization of Municipal Bureaucracies 2013-2016

	Size of Bureaucracies					Persentage of Professionals (Rank[a] within Size Group)	
Municipality	**Total Annual Average (Rank[a])**		**Size Group (Nº of Bureaucrats)**	**Per Capita Annual Average (Rank[a])**			
Providencia	907	(2)	Large (500+)	6.4	(2)	32%	(1/5)
Las Condes	753	(3)	Large (500+)	3.5	(17)	27%	(2/5)
Estación Central	462	(6)	Mid-Large (350-499)	3.1	(5)	18%	(6/6)
Quinta Normal	320	(16)	Medium (290-349)	2.6	(9)	25%	(13/14)
Average*	552			3.4			

[a] Ranks, averages and group sizes considering the 34 municipalities in Santiago. Within size group ranks considering only the municipalities in the same size group, denoted by the second number inside the parenthesis.
Source: Created by the author based on information from *Sistema Nacional de Información Municipal* (SINIM), retrieved November 15, 2017 from http://www.sinim.gov.cl. Numbers consider only bureaucrats that were either part of the civil service system (*planta*) or working under fixed-term contracts (*contrata*), thus excluding bureaucrats working under fee-for-service contracts (honorarios).

During the period analyzed, Las Condes presented a comparatively large and professionalized bureaucracy (See Table 4), which was frequently described as highly loyal to the mayor. In particular, the high-rank positions were *"filled with bureaucrats of unyielding loyalty,"* and there were measures to ensure *"bureaucrats' commitment [and] accountability to their hierarchy—the ones who fail to account for their job are fired very soon [or are] severely affected in their pay"* (Ambivalent RN Councilor 2, Las Condes).

Two factors made this bureaucracy's involvement in local communities remarkable. The first is the unusually plentiful resources it dedicated to finance local organizations and their activities (see Table 3). The second factor is the transformation of neighborhood associations into critical partners of the municipal bureaucracy by transferring to them some of the duties associated with local community relations. Neighborhood associations, for example, were made responsible for connecting neighbors with the bureaucrats who could address their demands—thus, *"every [request from the neighbors] is first made to the neighborhood association, and these associations made the requests [to the municipality]"* (Local Leader 2, Las Condes)—and for providing some municipal services to neighbors (e.g., workshops, local tournaments, and community libraries). These organizations, therefore, worked as an extension of the municipality, in a way that was unseen in the other cases analyzed.

These characteristics of the bureaucracy added to the ample availability of resources, were translated into an attentive responsiveness to communities' demands. As the interviews reported, they were able to address a wide range of demands, including education, housing, security, health care, field trips, and sporting events. As a local leader closer to the opposition to the mayor expressed, *"we get [all our projects] financed […]. They have helped me with everything I have requested"* (Local Leader 2, Las Condes).

The Municipal bureaucracy's skillful capacity to address community demands had two significant consequences on the councilors' disposition to hold the mayor accountable. First, it increased the mayor's popularity and electoral influence on local communities. Second, it contributed to councilors' isolation from local communities, which was also reinforced by municipal rules prohibiting councilors from bringing local demands directly to municipal bureaucrats. As councilors described, due to the high level of responsiveness of the municipality, local community organizations were *"heavily encapsulated by the municipality"* and, therefore, they *"will never bring a complaint to you, even if you are a councilor from the opposition"* (Skeptical PDC Councilor, Las Condes) In Las Condes, *"everything is structured by the bureaucracy so that all the demands [can be] resolved without passing through the councilors."* Councilors were, therefore, described as *"invisible"* and *"nonexistent"* for local communities (Ambivalent RN Councilor 2, Las Condes).

Councilors' invisibility—in addition to the mayor's popularity—made them highly electorally dependent on the mayor and, therefore, unable to oppose

him and oversee him effectively, even if they disagreed with his propositions. As one of them explained, *"Stupid ideas are approved [because councilors] like to be on good terms with [the mayor]—who is ultimately the one who decides […]. He is very popular in the comuna, so councilors like to be seen as his friends"* (Ambivalent RN Councilor 1, Las Condes). Similarly, another councilor explained how, due to their isolation, *"there is not much space for rebelliousness […]. The weight of the mayor is large enough for whoever disagrees with him to feel it. So, [...] there is not much dissidence"* (Ambivalent RN Councilor 2, Las Condes). Finally, highlighting the electoral influence of the mayor on local communities, one loyal councilor explained that, according to her, *"[in the previous election] it was important for the UDI councilors to identify with [the mayor]—who is from the UDI too […]. And people always say: one of the reasons they vote for you is because they associate you with the mayor"* (Loyal UDI Councilor 2, Las Condes).

VIII. THE BROKERS OF THE EXECUTIVE

As Estación Central and Quinta Normal illustrate, municipal bureaucracies lacking the capacity to address local communities' demands can still discourage municipal councils' oversight. As Table 3 shows, during the period analyzed, the average annual income of these municipalities was below average among Santiago's municipalities, as also were the levels of professionalization of their mid-sized bureaucracies and the resources they dedicated to financial community organizations. As a result, these municipalities' bureaucracies followed a more patrimonial pattern and were consistently perceived as incapable and inefficient, while their loyalty to the mayor was guaranteed through patronage. Thus, the interviews frequently described these bureaucrats as not having *"any preparation to be in their positions,"* that they got hired only *"because of political favors,"* and as people who *"wouldn't have a chance to work at any other place"* (Bureaucrat 4, Quinta Normal).

Under these circumstances, local communities in these comunas had strong incentives to turn to councilors for help in addressing their demands, and they rewarded that help with electoral support. Consistently, councilors reported dedicating a significant part of their activities to receiving and addressing these demands, including *"domestic problems—that they got bitten by a dog, [that they can't pay] the water or the electricity bills"* (Loyal PDC Councilor 1, Quinta Normal). Thus, councilors in these municipalities were generally perceived as *"just handlers of favors [to local communities]"* but that *"if [these municipalities] worked properly, […] delivering goods and services to those who are entitled to them, there would be no need for this type of role"* (Skeptical PS Councilor, Estación Central).

The local executives' influence here stemmed from councilors' organizational deficiencies (lack of time and resources), which kept them from receiving and responding to local communities' demands. Specifically, local executives were able to provide councilors with a capacity for intercession between local

communities and municipal bureaucrats, thus compensating also for their own organizational deficiencies. Specifically, executives offered them access to three types of resources. First, they had access to municipal bureaucrats to channel the local demands that councilors received. Thus, by granting them *"a direct relationship with [the bureaucrats] who manage the processes that neighbors need"* they could, for example, *"skip all the protocols, speak directly with the head of the department, [and] in fifteen minutes, solve a problem that [a neighbor] had experienced for months"* (Collaborator Loyal PDC Councilor 1, Quinta Normal). Second, there were opportunities to interact with local communities. These instances include, for example, events with local communities, where councilors were invited and allowed to *"interact with the neighbors"* (Loyal UDI Councilor 2, Estación Central), *"hand out [gifts], share time with people, [and hear those] who come with a request"* (Skeptical PS Councilor, Quinta Normal), and *"do their partisan politics […] and political proselytism"* (Bureaucrat 2, Quinta Normal). Finally, mayors can hire more or less personal collaborators to help councilors with their duties, including the receiving and processing of local demands.

These opportunities for intercession were granted discretionally to councilors, rewarding loyalty, and punishing disloyalty to the mayor. As councilors described, their capacity to channel local demands to municipal bureaucrats depended *"on the willingness of the heads of municipal departments to receive [their] requests,"* and they were willing only when councilors had *"a good relationship with the mayor […]. If you are not on good terms with the mayor, you can forget that [your] requests will have any type of support"* (Skeptical PS Councilor, Estación Central). Similarly, bureaucrats excluded from activities with local communities those councilors who *"think that we do everything wrong, [so that], if they need to approve the budget for something, they vote against it because of 'a,' 'b' or 'c' reasons"* (Bureaucrat 2, Quinta Normal). Finally, local actors explained that councilors loyal to the mayor had more collaborators hired for them, and that collaborators sometimes were fired when councilors failed to support the mayor.

These councilors, then, had strong incentives to give up their horizontal accountability duties in exchange for higher chances of increasing their constituent support. As a loyal councilor from an opposition party explained, he was *"loyal to the mayor"* and a *"bad supervisor"* of the local executive because councilors *"don't have much power—we can listen to neighbors' demands but, in the end, we need to turn to [the mayor] to get their problems solved"* (Loyal UDI Councilor 1, Quinta Normal).

IX. UNUSABLE BUREAUCRACIES AND INDEPENDENT COUNCILORS

As Providencia shows, mayors can lose their influence over councilors when they are both ineffective in addressing communities' demands and do not offer opportunities for councilors' intercession. In Providencia, the weak loyalty of

the municipal bureaucracy—and its consequent low usability—played a crucial role in neutralizing the abundant availability of resources, large and professionalized bureaucracy, and sustained economic and organizational efforts to reverse a previous history of low involvement in local communities (See Tables 3 and 4). As one municipal bureaucrat explained, when the current mayor was elected *"there wasn't practically any local organization. There were six neighborhood associations, which received no more than 230,000 pesos every year. Today we have sixteen, which receive four million pesos [every year]"* (Bureaucrat 1, Providencia).

According to the interviews, this weak loyalty stemmed from the decision to keep bureaucrats hired by previous administrations to *"avoid producing too much noise by changing the municipal team too much"* (Bureaucrat 2, Providencia). This decision resulted in a stark division between the old and the new bureaucrats where *"the old ones [were] always waiting […] for the new ones to leave"* (Bureaucrat 1, Providencia), and frequently hindered the work of the new bureaucrats and the goals of the mayor. As one bureaucrat exemplified, *"if a memo must be done within five days, sometimes it takes […] twenty-five days. They reject it, […] try to trap [other bureaucrats] in red tape, [and] deny providing information"* (Bureaucrat 1, Providencia). Moreover, although there were *"serious problems of management and conflict resolution, [the disloyal bureaucrats did] not work as swiftly, as promptly, or as diligently as was required [to solve these issues]"* (Bureaucrat 2, Providencia).

Nor did Providencia develop mechanisms for councilors' intermediation as happened in Estación Central and Quinta Normal. Municipal bureaucrats reported that the demands from the community they received through councilors were *"very few, […] less than ten in the last year"* (Bureaucrat 2, Providencia), while councilors admitted *"only pass[ing] the information"* to the mayor whenever they received a request, thus, refusing to *"give an answer saying that [they] can or cannot solve something"* and disappointing the neighbors who *"think that, if they have one authority on their side, things are going to move faster"* (Loyal PS Councilor, Providencia).

Two factors explained these low levels of the councilors' intercession. First, like Las Condes, Providencia implemented municipal rules prohibiting councilors from bringing local demands directly to municipal bureaucrats. Second, councilors had a *"scarce presence in the territory or municipal activities"* (Bureaucrat 2, Providencia). As one of them admitted, *"councilors in [wealthy] comunas like Providencia don't have very deep roots with specific groups of voters [because of] the time we have available for our duties. [Here], no one lives only on their councilor salary […]. So, we have less time to get involved"* (Loyal PDC Councilor, Providencia).

Under these circumstances, the mayor of Providencia lacked the mechanisms used in the previous cases to compel the councilors' loyalty—the high capacity to receive and address community demands that increases the popularity and the electoral influence of the mayor, and the councilors' intermediation between local communities and the municipal bureaucracy. Therefore, councilors

could hold the local administration accountable without risking an electoral sanction from the mayor.

X. PARTY COMPETITION IN SHADOW CASES

According to previous research,[11] partisan alignments and party competition may offer an alternative explanation for these results, especially based on the expectation of councilors being more supportive of mayors from their party coalition. However, there was no perfect match between party alignments and support or skepticism towards the mayors in the cases analyzed. Several councilors from the mayor's coalition held either an ambivalent or a skeptical stance, and several councilors from opposition parties held either an ambivalent or a supportive stance. Only in Providencia did council members understand their divisions in terms of partisan alignments, although even here, we can see dealignments due to personal quarrels.

The analysis of two shadow cases helps in assessing the relevance of party competition as an explanatory factor. The municipality of Ñuñoa's bureaucracy was relatively large (379), highly professionalized (40%), relatively well financed (over 23,000 million pesos), and dedicating moderately high resources to finance local organizations (172 million pesos). Party competition during the period analyzed was high, where the mayor won the reelection in 2012 with 30 votes difference (0.07%) from the runner-up candidate, and the 10-member municipal council was equally divided between councilors from the center-right and the center-left.

By the end of the term, Ñuñoa's mayor faced a corruption scandal, involving the formal accusation by the National Prosecutor's Office for embezzlement and fraud, among other charges. However, only one councilor showed a greater inclination towards holding the mayor accountable, presenting four complaints to the General Comptroller's Office, and criticizing the mayor in the news media (twice, both regarding the corruption case, although after the mayor had left office). We need more information to assess this case properly. However, this low inclination towards horizontal accountability—in the face of significant misbehavior—seems more consistent with the consequences of a highly capable bureaucracy than the level of party competition.

Pudahuel presents the mirror image of Ñuñoa. Pudahuel's bureaucracy was similar to Quinta Normal's in size (319) and professionalization (25%), although its *comunal* population was twice as large and 25% poorer. However, Pudahuel's bureaucracy was relatively well-financed (about 29,000 million pesos per year) and dedicated considerable funding resources to local organizations (about 767 million pesos per year). Party competition in Pudahuel was

[11] See, for example, Packel (2008).

low—the mayor won his fifth reelection in 2012 with over 60% of the votes, and six of the eight councilors came from his coalition.

However, only two of those councilors remained loyal to the mayor. The other four manifested a fierce skepticism, formed an alliance with one of the opposition councilors and, for example, used local newspapers to publicly announce their shared commitment to *investigate and decide* about the municipality's use of resources and later to publicly denounce cases of the municipality's misuse of resources. They also collectively presented two complaints to the Comptroller General's Office against the mayor for violating budget regulations, which resulted in changes in the budget decision-making process.

Qualitative evidence collected through interviews suggests that three factors played a significant role in explaining the case of Pudahuel. First, councilors had regular access to constituents who resorted to them to address their demands. Second, although not prohibited as in Las Condes and Providencia, councilors' intermediation between local communities and municipal bureaucrats was infrequent, thus depriving the mayor of a mechanism that allowed other mayors to discourage councilors' oversight. Finally, councilors could sustain clientelistic networks relying on non-municipal resources, thus securing their electoral independence from the mayor.

XI. DISCUSSION AND CONCLUSION

By using *horizontal accountability* to explain how democratically elected executes can remain unrestrained, O'Donnell highlighted the role that intra-state oversight institutions should play in preventing these situations. Since then, several works have addressed horizontal accountability at the national level. However, the literature on subnational democracy has paid little attention to the role of oversight institutions in containing undemocratic regimes and practices. The few works addressing this factor have highlighted subnational executives' ability to neutralize or coopt their opposition, usually relying on patrimonial administrations.

Consistent with this literature, this article finds that local executives in urban Chile play a preponderant role in inhibiting municipal councils' accountability role, especially by relying on their capacity to affect councilors' electoral chances. However, the article also finds that this effect is not exclusive of patrimonial administrations. In fact, a well-funded, professionalized, and usable bureaucracy can help making councilors electorally dependent on the mayor by isolating them from their constituencies and blocking their routes for constituency service and credit claiming in solving local problems. As the cases analyzed show, this dependence usually motivates councilors to remain loyal to the mayor—loyalty that councilors easily translate into a diminished oversight over the executive.

The usability of the bureaucracy, understood as bureaucrats' willingness to cooperate with the current government, plays a critical role in these regards, although the literature addressing the relation between state capacity and democracy has paid little attention to it. As the cases analyzed suggest, even when the bureaucracies are highly professionalized and well-funded, the lack of usability reduces the public administration's ability to provide public goods and services. In these situations, the executive loses its influence on the electoral chances of accountability agents and, therefore, its capacity to discourage them from holding the executive accountable. However, lower state capacity does not encourage horizontal accountability automatically. If bureaucracies remain usable, the executive can maintain its influence on accountability agents by involving them in the processes of addressing communities' demands. In these cases, accountability agents exchange their willingness to hold the executive accountable for access to resources they can use to distribute among their electorates and, therefore, increase their electoral performance.

These results highlight the relevance of accountability agents' autonomy, especially from the executives they must oversee. This frequently noted and seemingly obvious condition is, however, easily violated in Chile's municipal governments, and local state capacity not only does not contribute to the solution but also is shown to work against it. Of course, reducing the usability or capacity of local bureaucracies—to produce cases such as Providencia or Pudahuel—is not a desirable alternative, but the mere presence of bureaucratic efficacy does not make oversight irrelevant either—as the case of Ñuñoa eloquently suggests.

Less damaging options may come from the design of local electoral processes. For example, ward-base elections may help, providing a more direct link between citizens and councilors, thus helping them to secure the constituent support Wirls (2015) deemed essential for empowering state agencies (Devas and Delay 2006; Rakodi 2004). Similarly, limiting reelection (as Chile has recently done) may help by reducing the unyielding loyalty of bureaucrats that long-timer mayors can cultivate (especially given their *de facto* discretionary power in hiring firing bureaucrats), and reduce the influence of electoral incentives in these regards. In any case, if municipal councils are to be really trusted as supervisors of local governments, municipalities' institutional design must contemplate mechanisms that effectively shield them against the influence of the executive, even where local states are strong.

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