Executive Capacity to Control Legislatures and Presidential Choice of Cabinet Ministers in East Asian Democracies

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Abstract

How do presidents in new democracies choose cabinet ministers to accomplish their policy goals? Contrary to existing studies explaining the partisan composition of the cabinet with institutional characteristics, such as formal authority, we argue that the broader political context surrounding the president's ability to control the legislature can affect cabinet partisanship. By analyzing original data on cabinet formation in all presidential systems in East Asia since democratization, we find that when presidents are more likely to be dominant in executive-legislative relations, they have less concern about legislative support and more leeway to focus on policy performance by appointing nonpartisan cabinet members. This analysis suggests that understanding cabinet partisanship requires a view of cabinet appointments as a trade-off between securing legislative support and managing policy performance, and the scope of this compromise depends on the strength of the president vis-à-vis the legislature.

The third wave of democratization followed the fall of powerful national leaders throughout East Asia in the 1980's and 90's. From the ouster of Ferdinand Marcos in the Philippines in 1986 to the 1999 end of Suharto's "New Order" in Indonesia, these authoritarian leaders gave way to more institutionally constrained successors (Whitehead 2014). Democratization with a series of constitutional reforms have tied presidents' hands, limiting their terms in office and compelling negotiation with legislatures that have been reinstated as a lawmaking institution representing the public will (Dalton, Shin, and Chu 2008). Presidents' reform programs now require broad legislative support to enact them. In parallel, chief executives also need competent and trustworthy public employees who can perform to high standards to pursue their policy commitments. For these policy objectives, presidents in East Asian democracies have strong incentives to accommodate legislative interests in the government. Yet, parties in such new democracies are not as institutionalized as parties in developed democracies (Dalton, Chu, and Shin 2008; Tomsa and Ufen 2013) and tend to show limited capacity to recruit executive talent within the party organization (Samuels and Shugart 2014). Presidents will therefore have incentives to choose party-affiliated ministers when they aim to secure legislative support but may choose ministers beyond partisanship in order to manage policy performance.

There has been growing research on cabinet appointments in presidential democracies. However, there is still limited knowledge about how presidents form a cabinet, particularly in the East Asian context. In Latin America, where presidentialism is the central aspect of its constitutional history and the dominant line of comparative research on presidential cabinet formation has emerged, the conventional view has attributed cabinet composition to institutional characteristics, such as formal presidential authority, electoral rules, and party characteristics (Amorim Neto 2006; Cheibub, Przeworski, and Saiegh 2004; Martínez-Gallardo and Schleiter 2015). According to this literature, presidents who can enact bills unilaterally by decree powers form a cabinet with more nonpartisan members, while chief executives who have limited policymaking power include more partisan ministers in order to solidify support for their policy program (Amorim Neto 2006). When electoral rules or party characteristics allow presidents to effectively control their party, they are more likely to appoint copartisans versus nonpartisans to the cabinet (Martínez-Gallardo and Schleiter 2015).

Yet, as shown below, there has been wide variation over time in the degree to which presidential cabinets in East Asia represent partisanship of legislatures. In most countries, such variation is not caused by changes in the constitutional design or institutional features. When there was little change in formal presidential powers, rules electing national legislative members, or the degree of party institutionalization, we still observe significant variation in cabinets' party representation across and within administrations. For example, Taiwanese President Chen Shuibian handed multiple cabinet posts, including a premier position, to members of the opposition Nationalist Party during his first year in office, but his cabinet appointments included fewer opposition party members over time. In fact, Chen seemed to have more leverage over cabinet appointments during his second term (Wu 2005).

In light of this, what other factors can affect presidential behavior, particularly decisions to distribute top executive positions? Under what conditions are presidents pressured to seek coalitional support versus advantaged to appoint nonpartisan loyalists? We argue that presidential cabinet appointment decisions are influenced by the strategy for securing legislative support and the necessity to manage policy performance, and that chief executives' ability to achieve these goals is determined by a set of political factors. We will focus on contextual factors, denoting important characteristics of presidential systems, such as presidential popularity

and the electoral calendar, because they are closely related to the ability of presidents to contain legislative strength. Moreover, the scope for the trade-off between seeking legislative support and managing policy performance can change as the bargaining dynamics in executivelegislative relations vary over time. When presidents are more likely to be dominant in executive-legislative relations, they have less concern about legislative support and more leeway to focus on policy performance by appointing nonpartisan ministers. Our analysis therefore demonstrates that a clear understanding of cabinet partisanship requires a view of cabinet appointments as a trade-off between these two goals, and the scope of this compromise depends on the likelihood of a president's control over the legislature.

In describing the centrality of balancing the key governing goals with a president's cabinet appointments, we examine executive-legislative relations in 21 administrations of all presidential democracies in East Asia, namely Indonesia, the Philippines, South Korea, and Taiwan, from the time of their recent democratization through 2013. Analysis of our original datasets shows that presidents are more likely to name nonpartisan ministers when they are in advantageous positions to control the relationship with the legislative branch, either through enjoying strong legislative support or the presidential honeymoon period. Presidents are more likely to concede cabinet posts to other legislative parties when they suffer minority legislative status or lose political momentum as the end of their term nears. We further find that presidents are more likely to assign key cabinet posts that are central to the management of a government's policy performance, such as economic management, foreign affairs, and national defense, to nonpartisans than other partisan members, after controlling for several political factors.

This article makes important contributions to the literature on comparative politics. First, we demonstrate that there are time-varying factors, other than formal authority and institutional characteristics, which shape presidential ability to constrain legislative strength and their cabinet appointment decisions. The literature on the causes and consequences of the variation in cabinet partisanship within countries is still scarce (c.f., Camerlo and Pérez-Liñán 2015). Second, we contribute new evidence to the literature by showing the different patterns of portfolio allocation between parliamentary and presidential democracies, particularly in key policy positions. In comparison with parliamentary democracies, where core cabinet posts are reserved for senior parliamentarians (Pekkanen, Nyblade and Krauss 2006), chief executives in presidential democracies tend to assign these posts to reliable agents even from outside the party, thereby managing the government's policy performance.

In the next section, we use a principal-agent perspective to discuss the nature of the tradeoff presidents face in obtaining the dual objectives through cabinet appointments. Then we outline our theoretical framework which emphasizes the president's situational control of the legislative branch. We suggest that certain contextual factors, such as presidential popularity among the electorate and the electoral calendar, can enhance or reduce the likelihood of presidential dominance in executive-legislative relations. After analyzing our hypotheses, we discuss our findings and draw conclusions regarding intra-administration variation in presidential legislative strength and their cabinet choices.

President's Policy Goals, Agency Problems, and Cabinet Partisanship

Presidents of new democracies face a range of political and policy challenges that may undermine the stability of their government (see e.g., Kasuya 2003; Kim 2011; Slater 2004; Timberman 1991 for the cases of East Asian democracies). They need to generate broad legislative support to effectively enact their reform program. On the other hand, presidents desire to implement the policies promised in their electoral platforms as the ability to achieve their policy agenda is a necessary condition for a successful presidency (Mainwaring and Shugart 1997). One typical way to obtain these dual objectives is through political appointments. Presidents appoint cabinet ministers and authorize them to work toward legislative consent and manage policy implementation. Yet, competing incentives exist in every administration when choosing ministers, because chief executives are not only constrained by the relative scarcity of top executive posts but also encounter delegation problems where appointees may differ in their ability and incentives to achieve the chief executive's goals (Huber and Martínez-Gallardo 2008; Kiewiet and McCubbins 1991).

While the principal-agent relationship in parliamentary democracies is a single line of delegation from a prime minister to cabinet ministers, presidential democracies feature a more complicated delegation web as presidents compete with the legislature for the ministers' accountability (Strøm 2000). In presidential democracies, where chief executives and legislators are elected by a different set of constituents, the two branches tend to have diverging preferences over the direction of policy program (Samuels and Shugart 2010). Presidents serve and appeal to a single national electorate, but legislators serve and target local constituencies. Therefore, party-affiliated ministers find themselves caught between the policy interests of two competing principals, the president and their party (Carey 2007; Martínez-Gallardo and Schleiter 2015; Samuels and Shugart 2010). Nonetheless, even with the potential risk of agency loss, the incentives and benefits of including opposition party members in cabinets are clear: strong legislative support helps presidents to succeed in policymaking (Cheibub 2007) and to survive impeachment threats (Pérez-Liñán 2007).¹ The costs of bringing other party members into the

¹ The legislative success rate on average is higher for presidents who are supported by a legislative majority than for those who are under minority support (Cheibub 2007).

government are not modest, however. Presidents may have conflicts of interest with the ministers of other parties, but cannot simply dismiss them because their presence in the cabinet represents the government's legislative support from executive coalitions (Dowding and Dumont 2009).²

How does the choice of nonpartisan ministers, then, help presidents handle agency behavior and manage policy performance? First, by naming nonpartisans, presidents can enjoy a higher degree of ministerial loyalty. In contrast to party-affiliated ministers whose preferences over the direction of policy agenda may diverge (Martínez-Gallardo and Schleiter 2015, Samuels and Shugart 2010), nonpartisans are generally perceived as loyalists – they are less likely to put their individual political ambition above the president's policy agenda and tend to stay outside politics after serving in the cabinet (Blondel 1991; Camp 2010). Moreover, by appointing nonpartisan ministers, presidents can take advantage of executive talent from an external pool and are not constrained by the limited talent available in new democracies' party organizations (Samuels and Shugart 2014). Professional backgrounds and technical skills are typical selection criteria in the recruitment of nonpartisan ministers (Camerlo and Pérez-Liñán 2015). Therefore, the choice of nonpartisan ministers provides presidents with several advantages for managing their policy program. Nevertheless, the distribution of cabinet posts being substantially biased toward nonpartisans may leave chief executives vulnerable to challenges from the legislature.

This brings up the question of how presidents will choose the degree of partisanship in cabinets. Presidents will build coalitional support to the extent necessary to control the general political agenda but will also work to manage policy implementation by appointing nonpartisan loyalists insofar as they are able. The range of these choices, we argue, depends on the strength of the president vis-à-vis the legislature during their fixed terms. Under certain conditions –

 $^{^{2}}$ Dismissing ministers representing coalition members without proper negotiations can be highly costly as in the case of President Abdurrahman Wahid of Indonesia who was impeached and removed from office (Slater 2004).

which will be listed in the next section – presidents can more easily obtain legislative support, and in those contexts, the marginal benefits of appointing nonpartisan ministers are greater. Cabinet formation is therefore a window to understand how presidents weigh the legislative gains from coalition formation and the administrative benefits of naming nonpartisan loyalists. The main concern of this article is to formulate and explain how cabinet appointments represent the variations in presidents' relative legislative strength during their terms.

The Effect of Political Context on Executive Influence over Legislatures

In presidential democracies, chief executives exert unilateral authority to appoint cabinet members and serve as *de facto* party leaders in the governmental arena regardless of their formal party leadership (Samuels and Shugart 2010). In East Asia, presidents can typically appoint and dismiss cabinet ministers by executive prerogative (Hicken and Kasuya 2003; Shugart and Carey 1992). Presidents of Indonesia and South Korea maintain nearly exclusive control over cabinet formation since they can freely appoint and dismiss cabinet ministers without much legal constraint. Presidents of Taiwan have maintained substantial authority to appoint and dismiss cabinet members since the 1997 constitutional amendment resulting in a semi-presidential system wherein the president was granted exclusive power to appoint the premier who in turn appoints the rest of the cabinet with the president's consent. Presidents of the Philippines have the authority to name and direct the composition of the government and tend to have cabinets they want, as the formal process of legislative confirmation has often been passed over and a large number of appointees have served without a final confirmation. Presidents, rather than their parties, are central decision makers who negotiate with rival parties in the legislature over coalition formation.

Presidents, we argue, are more likely to name nonpartisan ministers when their influence over the legislature is high but are more likely to seek to form coalitions in times of lesser executive sway over the legislature. The magnitude depends on a set of political factors signifying important characteristics of presidential systems: presidential popularity among the electorate and the electoral calendar as well as the president's support in the legislature and the intensity of legislative challenges against the president. These contextual factors have a powerful and systematic impact on the president's political momentum and are closely related to the relative strength of presidents and the legislature.

Legislative Support, Opposition Challenges, Presidential Popularity, and Electoral Cycle

There is scholarly consensus that Latin American presidents frequently form government coalitions in order to secure legislative support and govern effectively (Altman 2000; Amorim Neto 2006; Chaisty, Cheeseman, and Power 2014; Geddes 1994; Raile, Pereira, and Power 2011). Presidents serve fixed terms independently of their legislative support, but they still bargain with the legislature to "form and change government coalitions" as a *formateur* (Cheibub 2007, 53). Presidents have particularly strong incentives to pursue coalition formation when their party is in the minority and they face opposition majorities in the legislature, because their effectiveness is severely limited in such circumstances (Carey 1997).

The experience of South Korea's President Kim Dae-jung illustrates this strategy. In 1998, when Kim took office, his legislative party, the National Congress for New Politics (NCNP), accounted for 26.3 percent of the members of the National Assembly, while the opposition Grand National Party (GNP) held a majority of 54 percent. Before long, Kim formed a coalition with the conservative United Liberal Democrats (ULD) by allocating a third of cabinet seats to

his coalition partner, including a prime minister position.³ From this discussion, we propose the following hypothesis and conduct its first empirical test in the context of East Asian multiparty presidential democracies.

Hypothesis 1: When the president's support in the legislature decreases, the president is more likely to appoint ministers of other parties.

The extent to which presidents can control the political agenda also depends on the intensity of the legislative opposition as well as the strength of the president's own party. In multiparty systems, presidents tend to more easily control their political agenda as long as no single party commands an opposition majority in the legislature. In the context where no party has an opposition majority on its own, multiple parties need to coordinate to check presidents and their political agendas. However, it is not easy for these parties to cooperate against the president due to the advantages of the executive branch's resources. With these advantages, presidents are in a better position to induce cooperation from other parties, confounding opposition efforts to form a coalition against the government.

The more fragmented the legislature, the easier it is for the president to obtain legislative support without conceding cabinet seats. In a multiparty system where no party commands a majority, the presidential capacity to dictate the political agenda is relatively high, because there are always minor parties who are willing to cooperate with the president to boost their political leverage (Altman 2000; Strøm 1990; Zucco 2009).⁴ Moreover, in the new democracies of East Asia, often characterized by their "pragmatic" parties who compete based on clientelism (Dalton,

³ For details of cabinet appointments in the South Korean context, see Hahm, Jung, and Lee (2013).

⁴ In presidential systems, the behavior of political parties is largely driven by their chances of victory in the executive election because the most important electoral prize for parties is the chief executive post. However, not every party will contend for the executive election, and those who cannot compete would rather lend their support to a candidate from other major contending parties. In multiparty systems, small parties that have a lower chance to win are likely to support large parties in exchange for their access to pork or policy concessions once their partners win. This logic can be also applied to the governmental arena (see Samuels 2002).

Chu, and Shin 2008, 2), small parties may "hire out" their support to the president in return for political benefits, such as pork or policy concessions (Kellam 2015). This line of logic leads to the second hypothesis:

Hypothesis 2: Facing more fragmentation in the legislative opposition, the president is more likely to appoint nonpartisan ministers.

For presidents who are directly elected by the public and govern with a national mandate, public approval creates room to exercise their prerogative. Presidents often "go public" as a strategy to enhance their chances of success in the policymaking process and having a decent level of popularity helps them in the actual practice of this strategy (Kernell 2007). Popular presidents who can directly appeal to voters by going over the heads of legislators have paraconstitutional prerogatives (Amorim Neto 2006, 416). Strong popularity grants presidents an increased ability to persuade the legislature and to impose costs for noncompliance (Kernell 2007; Neustadt 1990). Even when presidents face sharp disagreement from the legislature under divided government, strong popularity makes their public appeals an effective strategy as it may damage legislators who oppose them (Kernell 2007). Actions that attempt to undermine the authority of presidents who are strongly backed by national constituents can be costly to the immediate political fate of legislators engaging in such behavior. In these cases, public prestige confers leeway and more discretion over appointments so that presidents can exercise their preferences in cabinet formation. This line of argument leads to the third hypothesis:

Hypothesis 3: Stronger popularity increases the share of nonpartisan ministers in presidential cabinets.

In presidential systems where the next election date is common knowledge from the first day of a national mandate, the political dynamics in executive-legislative relations are shaped by the fixed electoral calendar and shift over the course of the president's term (Altman 2000). At the outset of the term, fate tends to be particularly favorable to newly elected presidents who enjoy the presidential honeymoon (Shugart and Carey 1992). But their fortunes start fading during the midterm and lose momentum even more quickly as they become lame-duck presidents near the end of their terms. Discretionary power that presidents can enjoy at their inauguration is likely to wane over time. In sum, the political momentum derived from the electoral calendar tends to give more discretion to presidents in decision-making as much of the public and media will be sympathetic to their decisions. Therefore, the fourth hypothesis is that:

Hypothesis 4: Presidents in the honeymoon period are more likely to appoint nonpartisan ministers than lame-duck presidents.

Based on our theoretical framework, we see distinct incentives exist in presidencies when selecting ministers and also when allocating cabinet posts. If presidential choice of nonpartisans signals their commitment to effectively delivering policy promises, most important policy positions, such as finance, national defense, or foreign affairs, will be assigned to reliable and competent agents since managing these areas directly determines the administration's fate and legacy. Cabinets would be unreasonably organized if presidents gave prime seats to other party members whose preferences may diverge from their policy agenda. We therefore predict that presidents are more likely to give key policy posts to nonpartisan loyalists than other partisan members.

In forming a cabinet, demand-side incentives also exist and are related to the types of ministries allocated as well as political contexts, such as presidential popularity and the electoral cycle. Gaining access to executive resources should be attractive to the parties in the legislature, but how they actually value these resources may vary according to the particular cabinet post and broader political environment (Altman 2000; Martinez-Gallardo 2012). In this article, we assume that small parties in multiparty systems that cannot usually contend for the office of the chief executive are likely to accept the proposed posts. With little choice, they are better off doing so and getting access to executive resources than staying outside government and getting nothing (Samuels 2002).

Data and Method

In order to test these hypotheses, we constructed an original dataset of cabinet partisanship from all major presidential democracies in East Asia through the following steps. Drawing on the *CIA Directory of Chiefs of State and Cabinet Members of Foreign Governments* and the *Political Handbook of the World*, we first recorded the composition of the cabinets with a list of individual ministers for each country on a yearly basis. Then we collected information on the party affiliations and political backgrounds of ministers from multiple sources including academic publications, local archives, news reports, and websites in order to compile a yearly-level dataset on cabinet partisanship in each country. ⁵ The cases and the respective years included are twenty-one administrations from Indonesia (1999-2013), the Philippines (1986-2013), South Korea (1988-2013), and Taiwan (1993-2013).⁶

The dependent variable is the share of nonpartisan ministers, ranging from 0 to 1, in the cabinet where appointment decisions take into account overall cabinet formation. We used the organization chart described on the official government websites of each country to determine

⁵ See online appendix for a list of sources.

⁶ The *Polity* score, which lists a political regime ranging from 6 to 10 as "democracy", is used to determine the respective beginning year of democracy for these cases.

the size of the cabinet. Included are all departments or ministries in the executive branch whose heads are appointed and dismissed by presidential authority. Following the definition from the literature (e.g., Amorim Neto 2006), ministers not affiliated with any political party at the time of their appointment are listed as nonpartisan cabinet members.

Figure 1 describes two major features of presidential cabinets in four East Asian democracies. The vertical axis for each country indicates the proportion of 1) cabinet posts given to nonpartisan ministers vis-à-vis other party members for the horizontal dotted lines; and 2) portfolio reallocation through cabinet reshuffles for the vertical spikes. In any given month, if presidents replaced their ministers, there is a short or a long vertical spike depending on the magnitude of cabinet reshuffles. The horizontal axis for each country names the president in office at the time indicated. We can observe that in most administrations of each country, presidents did make substantial changes in the partisanship of their cabinets through frequent reshuffles. 35 percent of the ministers in our sample serve less than a year.⁷ These changes illustrate great variations across and within countries. On average, the cross-country variation ranges from a low of 41 percent (Indonesia) to a high of 70 percent (Philippines), while the largest within-country variation, recorded in South Korea, ranges from a low of 27 percent to a high of 95 percent. It is also notable that these changes occur during the presidential terms without new executive elections.

[Figure 1 about here]

⁷ Frequent reshuffles may help to manage policy performance as cabinet reshuffles can be pursued as solutions to adverse selection problems when ministerial drift is detected (Indridason and Kam 2008).

Explanatory variables. To test the four hypotheses about the effects of the president's relative legislative power on cabinet partisanship, we adopt and specify four independent variables. First, as a measure of *presidents' support in legislature*, we use the proportion of seats occupied by the president's party in the lower or only chamber. In the new democracies of East Asia, legislative composition frequently changes between legislative elections due to party switching, merging, splitting, or by-elections occurring (e.g., Fell 2014; Kasuya 2008; Mainwaring and Zoco 2007). We therefore use a continuous measure to better capture the nuanced difference in a president's partias strength, particularly within the range below 50 percent, in multiparty systems. We predict a positive relationship between *presidents' support in legislature* and the share of nonpartisan ministers (H1). Second, a measure of *opposition fragmentation* is constructed based on Laakso and Taagepera's index (1979) to weight the number of opposition parties by their proportion in the legislature. ⁸ Higher values on this measure indicate more fragmented opposition and less intensive challenges against the president. We thus predict a positive relationship between of the president. We thus predict a positive relationship between challenges against the president. We thus predict a positive relationship between the president of the president. We thus predict a positive relationship between on this measure indicate more fragmented opposition and less intensive challenges against the president. We thus predict a positive relationship between of *president fragmentation* in the legislature.

Third, *presidential popularity* is a measure of the incumbent president's popularity among the electorate. To estimate this measure, we use presidential approval ratings from monthly public opinion surveys conducted nationwide in each country. The variable, ranging from 0 to 1, is the aggregate proportion of respondents who answered "very satisfied" and "somewhat satisfied" to the following survey question: "How satisfied or dissatisfied you are in the performance of (name) as President of (country)?" We expect a positive relationship between *presidential popularity* and the share of nonpartisan ministers (H3). Fourth, *electoral cycle* is a

⁸ The measure is calculated using the function $\frac{1}{\sum_{i=1}^{n} p_i^2}$ where *n* is the number of all parties but the president's party holding at least one seat in the lower or only chamber, and p_i is the seat share of the *i*th party in the legislature. To handle the cases of independent members and minor parties grouped into others, we employ the scheme developed by Mainwaring and Zoco (2007, 173).

measure of the fixed electoral calendar during the president's term. We include a continuous variable which indicates the number of months left until the end of the fixed term. We also expect a positive relationship between *electoral cycle* and the share of nonpartisan ministers (H4).

Control variables. We control for five variables that are likely to influence cabinet partisanship. First, *constitutional power* measures formal powers granted to the president. It is a common parameter of presidential power and likely to have a positive impact on nonpartisan appointments (Amorim Neto 2006). We adopt the classification by Shugart and Carey (1992) and apply their ordinal scales to information from these countries' constitutions and other academic sources.⁹ The second control variable, *term limit*, measures whether a president can run for re-election or not. This is a dichotomous variable that gives a value of 1 if a president can seek re-election and 0 otherwise. It is likely that presidents who can seek re-election will choose cabinet partisanship differently from those who are term-limited. Third, organized legislative committees composed of experienced and professionalized members can effectively oppose the president and the ruling party in policy making and possibly influence cabinet formation. We thus control for *legislative professionalization* measuring the incumbency retention rate in the lower chamber of the legislature (Shair-Rosenfield and Stoyan 2017). Fourth, it is possible that presidents may rely on the policy expertise of nonpartisan ministers, particularly when facing an economic crisis. To address this possibility, we control for *inflation* using the monthly change in the consumer price index. Fifth, as new democracies with an immature party system may be "more conducive to non-partisanship in the cabinet" (Amorim Neto and Strøm 2006, 639), we

 $^{^{9}}$ The classification by Shugart and Carey divides the formal powers into two categories – legislative and nonlegislative powers – which have multiple types of powers within each category. The overall measure is the sum of the individual scores (ranging from 0 to 4) of each subtype of powers within the two categories. The measure ranges from 9 (Indonesia) to 21.5 (South Korea).

control for *age of democracy*, which is the number of years since the country's democratic transition. Lastly, the nature of cabinet reform and minister turnover may affect the likelihood of nonpartisan appointments. To control for this effect, we include *cabinet reshuffle*, a measure of the magnitude of cabinet reshuffling, which is the proportion of cabinet seats replaced in a given year. Table 1 presents descriptive statistics for all independent and control variables. Data sources for these variables are included in the online appendix.

[Table 1 about here]

Model choice. To estimate the share of nonpartisan ministers in the cabinet, we employ extended beta-binomial models with country fixed effects. These models are widely used to estimate cabinet partisanship for proportion data that are obtained from a series of binary choices normally dependent of each other (e.g., Amorim Neto, 2006; Amorim Neto and Strøm, 2006; King 1998; Schleiter and Morgan-Jones 2010). The estimation of fixed effects will account for unobserved country-level heterogeneity and address potential serial correlation. Given the time-series cross-sectional structure of the dataset, we estimate heteroscedasticity and autocorrelation consistent standard errors that are robust to general forms of spatial and temporal dependence (Driscoll and Kraay 1998).¹⁰

In addition, for further analysis concerning allocation of cabinet portfolios, we use logistic regression models with individual-level data which include 778 ministers across the four East Asian democracies from 1986 to 2013. In these additional models, our dependent variable is whether ministers are nonpartisan (coded 1 if ministers are nonpartisan; 0 if ministers are from

¹⁰ The models estimating Newey and West standard errors, which permit heteroskedasticity and autocorrelation up to some lag (Newey and West 1987), produced qualitatively similar results.

other legislative parties), and our main independent variable measures whether cabinet posts belong to key policy areas (coded 1 if portfolios are key policy posts; 0 otherwise). Following the literature (e.g., Pekkanen, Nyblade and Krauss 2006), we classified finance, foreign affairs, national defense, internal affairs, and legal affairs as key areas. We employ country-level fixed effects for this analysis and estimate robust standard errors clustered on each country.

Findings. Table 2 presents the results of our analysis. Models 1 and 2 test the proposed hypotheses with control variables included only in Model 2. In Model 3, we run the same analysis with directly-elected presidents only as robustness checks. All models include country-level fixed effects. In Model 2, *presidents' support in legislature* positively influences presidential decisions to appoint nonpartisan ministers and negatively affects the likelihood of executive coalition formation (H1). We also confirm that a positive relationship exists between *electoral cycle* and the share of nonpartisan ministers (H4). However, the results do not lend strong support to our second and third hypotheses. Specific results are discussed below.

[Table 2 about here]

The coefficient of *presidents' support in legislature* is positive and statistically significant (H1). Based on the estimation of Model 2, a decrease in *presidents' support in legislature* from its observed maximum to minimum values leads to the appointment of seven additional ministers from other legislative parties on average (25.7 percent of the average size of the cabinet), holding

all other variables constant at their means.¹¹ This finding suggests that presidents are more likely to form coalitions and less likely to appoint nonpartisan ministers as their parties lose legislative seats. Consistent with the literature, a president's copartisan support is indeed an important source of leverage in the appointment process, which determines presidential incentives for coalition formation (Cheibub 2007).

Consider the example of Indonesian President Susilo Bambang Yudhoyono for the effect of the president's legislative support. His choice of vice presidential candidates, one of the most important future cabinet members, for two presidential elections was a stark contrast. In 2004, when Yudhoyono's *Partai Demokrat* (PD) took only ten percent of legislative seats, his choice of a vice presidential candidate was Jusuf Kalla, who held a strong political base in the largest party (*Partai Golongan Karya*) of the Indonesian parliament (Horowitz 2013). In 2009, when the PD became the largest party in the Indonesian parliament, the incumbent president replaced Kalla with Boediono, a former central bank governor and university lecturer who had no strong political base (Horowitz 2013). The increased strength of his legislative power put Yudhoyono in a favorable position with more leverage to exercise his preferences in these choices.¹²

In Model 2, *electoral cycle* has a positive and statistically significant effect on the share of nonpartisans in the cabinet (H4). From the estimation of Model 2, presidents who are at the beginning of their term average three more nonpartisan ministers in comparison with lame-duck presidents (11 percent of the average cabinet size), holding all other variables constant at their

¹¹ The average size of the cabinet is 27.25 which is based on the size of the cabinet formed at the outset of the term in the most recent administrations, as of 2013, from four Asian democracies: Indonesia (35), the Philippines (23), South Korea (17), and Taiwan (34).

¹² The new electoral rules of Indonesia require the president-vice president ticket to garner either 25 percent of legislative votes or 20 percent of legislative seats for eligible candidacy. In 2009, the PD won 26.4 percent of legislative seats in the April general election (Horowitz 2013, 192-198).

means. For newly elected presidents, the political momentum gained from the electoral calendar gives more leeway to exert their preferences in cabinet selection.

The results from the model specifications in Table 2, however, do not support our expectations regarding *opposition fragmentation*. In contrast to our prediction that more fragmented legislative opposition allows more nonpartisan appointments (H2), the effect of *opposition fragmentation* is not statistically significant. Yet, further looking into this variable, we find that *opposition fragmentation* has a positive (.007) and statistically significant (p < .05) effect on the share of nonpartisan ministers, interacting with *presidents' support in legislature*. This finding suggests that *opposition fragmentation* matters in presidential cabinet choices, but its effect is conditional on the legislative status of the president's party. At the observed minimum value of *presidents' support in legislature*, a change in *opposition fragmentation* from its minimum to mean values means presidents are likely to include 2.4 additional nonpartisan ministers on average (nine percent of the average size of the cabinet), holding all others constant. This finding is in line with Mejía Acosta's (2009) study of Latin American democracies, where minority presidents may appoint many nonpartisan ministers when facing a fragmented opposition in the legislature.

The results from the model specifications in Table 2 also do not support our predictions regarding *presidential popularity*. In contrast to our expectation that more popular presidents will appoint more nonpartisan ministers (H3), the effect of *presidential popularity* is negative and statistically significant in Model 1 and loses statistical significance with controls included in Model 2. Based on the estimation of Model 1, an increase in *presidential popularity* from its observed minimum to mean values leads to the appointment of 1.5 fewer nonpartisan ministers on average (5.5 percent of the average size of the cabinet), holding all others constant. One

possible account for this paradoxical finding could be that popular presidents still seek additional political support when administering a minority government, as they learn lessons from history. In the history of East Asian democracies, majority presidents who suffered low public approval still stayed in power, as in the cases of Presidents Lee Myung-bak of South Korea and Ma Ying-jeou of Taiwan, but minority presidents who maintained a respectable degree of popularity struggled in executive-legislative relations, as in the cases of Presidents Roh Moo-hyun of South Korea, Joseph Estrada of the Philippines, and Abdurrahman Wahid of Indonesia. Alternatively, public prestige helps chief executives to attract political cooperation from other parties who deem joining popular presidents' cabinets appealing, which may lead to rapid coalition formation (Altman 2000). The finding that *presidential popularity* still holds a negative (-.347) effect, interacting with *presidents' support in legislature*, is also in line with this explanation.

The six control variables tend to have the predicted effects, but only a few of the coefficients reach statistical significance. First, the effect of *constitutional power* is negative and statistically significant.¹³ Even though they are endowed with strong constitutional powers, chief executives without sufficient legislative support or facing more professionalized legislatures may struggle to have their agendas enacted (Mainwaring 1997; Shair-Rosenfield and Stoyan 2017), and, in this case, they might seek further support from the legislature through conceding cabinet seats. Second, we find that presidents who can seek re-election are less likely to choose nonpartisan ministers than those who are term-limited. The former leaders need to maintain stable executive-legislative relations to increase their chances for re-election, but the latter have no such incentive. Additionally, we find that presidential cabinets in Taiwan and Indonesia are less likely to include nonpartisans than presidential cabinets in South Korea.

¹³ When country-level fixed effects were dropped, the coefficient was positive and not significant (0.027, p = .293).

As a robustness check, Model 3 examines the same model specification as Model 2 but only includes directly-elected presidents by excluding indirectly-elected ones.¹⁴ Here, we address potential concerns about unobserved factors that can call into question the causal relationship between the president's relative legislative power and cabinet partisanship; this could be a particular concern when presidents are not directly elected by voters but by an electoral college composed of legislative members. In such cases, presidents might be more likely to appoint nonpartisan ministers while being also more likely to hold the support of a legislative majority. The results in Table 2 confirm the robustness of our findings after excluding indirectly-elected presidents.

In Table 3, we present the results of our analysis regarding the allocation of cabinet portfolios. We test our prediction with control variables included only in Model 2; and in Model 3, we check the robustness of our results by running the same analysis with directly-elected presidents only. Our sample of individual-level data shows 85.5% of ministers are nonpartisan and 14.5% of ministers are from other legislative parties. Roughly 28% of portfolios are in key policy posts. While 29.2% of nonpartisan ministers were assigned to these posts, 16.4% of other partisan ministers held such posts.

[Table 3 about here]

In Model 2, we find that there is a positive relationship between *key policy post* and the choice of nonpartisan ministers. Based on the estimation of Model 2, nonpartisan ministers are 2.6% more likely to receive key cabinet posts than other areas of posts, holding all other

¹⁴ Presidents Abdurrahman Wahid (1999-2001) and Megawati Sukarnoputri (2001-04) of Indonesia and President Lee Teng-hui (1993-1996) of Taiwan belong to the category of indirectly-elected presidents.

variables constant. This finding confirms our prediction that presidents will have distinct incentives when allocating cabinet posts and tend to appoint nonpartisan loyalists to important policy areas for the effective management of government performance. Our finding speaks to the comparative literature on portfolio allocation in democratic regimes and also has important implications for East Asian presidential democracies. In parliamentary democracies, chief executives tend to allocate key policy posts to senior parliamentarians who can develop a strong party label (Pekkanen, Nyblade and Krauss 2006). In contrast, chief executives in presidential democracies are willing to assign these posts to their loyal agents from outside the party, thereby managing the government's policy performance and overall political fate. Given the central roles ministers play in policy making and implementation, these different attributes not only affect the types of policies East Asian presidents choose but also influence the degree of accountability to constituents these policies represent. Finally, the results in Model 3 confirm our findings are mostly robust after excluding indirectly-elected presidents.

Conclusion

Scholars of new East Asian presidential democracies generally describe the chief executives as "imperial presidents" – powerful figures who have sources of authority beyond the constitution. While legislatures, as lawmaking institutions representing the public will, do have an ability to check the executive as evidenced by a series of recent presidential impeachments, the recent discussion of possible constitutional revisions in several presidential democracies in East Asia has brought scholarly and public attention to presidential prerogatives.¹⁵ In this article, we demonstrate that executive-legislative relations are affected by political contexts where the

¹⁵ For the recent discussion of constitutional reform in Indonesia, the Philippines, South Korea, and Taiwan, go to http://presidential-power.com/?p=2575.

bargaining dynamics between the two branches of government vary over time, and these contextual factors shape a president's cabinet appointment decisions. In forming a cabinet, presidents balance between securing legislative support and managing policy performance as the two central objectives. The scope for this trade-off depends on the president's relative legislative strength. When presidents are more likely to wield their influence over the legislature, namely through strong legislative support and the presidential honeymoon, they can obtain administrative benefits by naming nonpartisan loyalists. When they have a weaker position against the legislature, due to suffering minority legislative status and losing political momentum toward the end of their term, presidents can gain additional political support through conceding cabinet posts to other parties. Our unpredicted finding regarding the intensity of the legislative opposition indicates that it is still effective in shaping the president's power and cabinet choices, but such effect is conditional specifically on the legislative status of the president's party. Our opposite finding regarding presidential popularity among the electorate suggests that further research on the role of presidential popularity in cabinet formation is necessary. Logically, popular presidents should have more prerogatives that give them more discretion over appointments, but are possibly moderated by other political factors, including a president's legislative status as discussed above.

In analyzing the impact of political contexts on presidential cabinet appointment decisions, future research should seek to expand the scope of the dimension of cabinet choices to further understand the role of cabinet appointments in East Asian presidential democracies. Existing work casts some light on the linkage between the characteristics of party organization and copartisan appointments in presidential cabinets (Martínez-Gallardo and Schleiter 2015). Yet, the topics of whether the contextual factors we have described here will have a significant effect

on president-ruling party relations and make any difference in portfolio allocation to the president's own party members are largely unexplored. With party organizations becoming more institutionalized in East Asian democracies, we expect that presidents, who face more favorable political contexts, will be more likely to appoint copartisan ministers to develop a strong party label. In addition, given that significant variation exists in the stability of inter-party competition patterns in Asia (Hicken and Kuhonta 2015), exploring the degree of party system institutionalization as well as the characteristics of party organization should have important implications for cabinet choices in the intraparty dimension.

Additionally, some variation in cabinet appointment decisions could be driven by personal presidential characteristics not considered here. Public opinion is strongly favorable to political leaders who are willing to appoint technocrats or reformers to enhance policy performance, but it is often challenging to directly measure the characteristics that may affect both the predictor (popularity) and the outcome (nonpartisan appointments) of our analysis. In the East Asian context, there has been also scholarly attention to personal characteristics of presidents, some of whom are either too accommodative to legislative interests or too much of a maverick to negotiate, which might be relevant to consider in examining appointment styles.

Our analysis has important implications for the comparative literature. First, this article is a new endeavor to illuminate presidential leadership strategy to address key competing goals in governments and to explore how the chief executive's ability to achieve these goals in a given context affects cabinet partisanship. Despite the significant contribution of existing studies, an account of cabinet formation without a clear understanding of how presidents respond strategically to changing political contexts remains conceptually incomplete. We show that there is a set of time-varying factors that can affect presidential legislative strength and their cabinet choices. Second, our findings call into question a main criticism of presidential democracies that separation of powers systems may adversely affect the quality of governance and democratic consolidation. Contrary to the argument that presidential democracies suffer weak incentives for executive-legislative cooperation and weak party representation in the cabinet (e.g., Linz 1990), recent work demonstrates the formation of government coalitions occurs frequently and helps to increase the chances of a president's legislative success (Cheibub 2007). By analyzing original data on the yearly observations of presidential cabinets in East Asian democracies, we contribute new evidence to the debate and speak to this recent literature: presidents actively form a coalition government for legislative support and limit party representation in the cabinet in specific contexts where they are more likely to control the legislature. Our analysis suggests that presidential cabinet appointments are therefore determined by their legislative strategy as well as their need to manage policy performance. This article, therefore, takes a significant step toward understanding of the role of cabinet appointments in the governance of presidential democracies in East Asia and beyond.

Figure 1. Proportions of Nonpartisan Ministers and Cabinet Reshuffles, 21 Administrations from Four Presidential Democracies in East Asia

Notes: The horizontal dotted lines for each country are the shares of nonpartisan ministers in the cabinet. The vertical spikes for each country are the proportions of portfolio reallocation through cabinet reshuffles.

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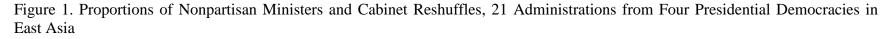
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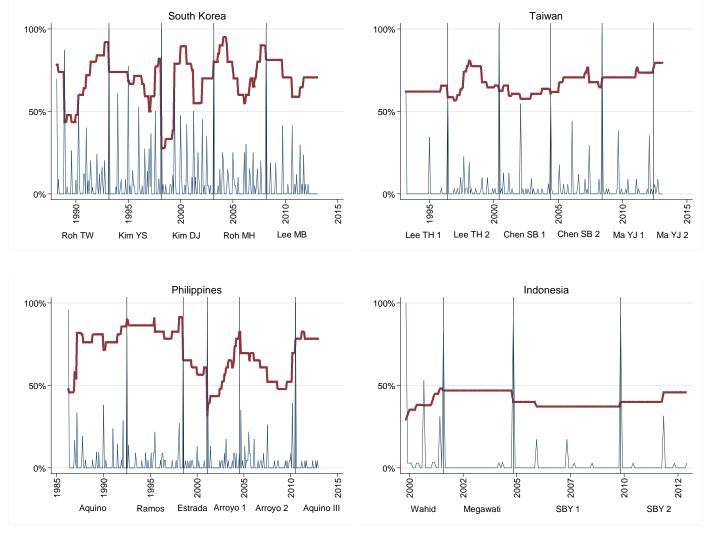
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Tables and Figures





Notes: The horizontal dotted lines for each country are the shares of nonpartisan ministers in the cabinet. The vertical spikes for each country are the proportions of portfolio reallocation through cabinet reshuffles.

	Ν	Mean	SD	Min	Max
Independent Variables					
President's support in legislature	87	0.44	0.18	0.10	0.75
Opposition fragmentation	87	16.69	21.12	3.7	97.56
Presidential popularity	78	0.50	0.18	0.13	0.80
Electoral cycle	88	36.12	18.09	1.35	71
Control Variables					
Constitutional power	88	17.32	4.27	9	21.5
Term limit	80	0.2	0.40	0	1
Legislative professionalization	81	0.48	0.14	0.17	0.74
Inflation	88	4.77	3.59	-0.65	18.50
Age of democracy	88	12.10	7.25	1	27
Cabinet reshuffle	88	0.07	0.09	0	0.51

Table 1. Descriptive Statistics of Independent and Control Variables

	Share of Nonpartisan Ministers		
-	(1)	(2)	(3)
(H1) President's support in legislature	2.113***	1.835**	1.879**
	(0.736)	(0.908)	(0.907)
(H2) Opposition fragmentation	-0.003	-0.001	-0.002
	(0.005)	(0.008)	(0.008)
(H3) Presidential popularity	-0.666***	-0.038	-0.036
	(0.301)	(0.601)	(0.598)
(H4) Electoral cycle	0.009***	0.007^{**}	0.007^{**}
	(0.003)	(0.003)	(0.003)
Constitutional power		-0.293****	-0.296***
		(0.095)	(0.093)
Term limit		-0.282^{*}	-0.304*
		(0.165)	(0.156)
Legislative professionalization		0.516	0.485
		(0.737)	(0.731)
Inflation		0.007	0.006
		(0.025)	(0.024)
Age of democracy		0.003	0.003
		(0.015)	(0.015)
Cabinet reshuffle		-0.397	-0.844***
		(0.368)	(0.315) -1.822 ^{***}
Taiwan	-0.171	-1.803***	-1.822***
	(0.127)	(0.592)	(0.580)
Philippines	0.112	-0.661	-0.673
	(0.332)	(0.492)	(0.488)
Indonesia	-0.596*	-4.163***	-4.223****
	(0.338)	(1.393)	(1.376)
Constant	-0.122	5.769***	5.848***
	(0.367)	(1.880)	(1.843)
Log Likelihood	80.72	81.15	80.25
Phi	27.768	30.384	30.476
	(8.056)	(9.957)	(10.018)
Observations	78	78	73
Number of countries	4	4	4

Table 2. Political Context and Cabinet Partisanship: Extended Beta-binomial Models

Notes: The unit of analysis is a country-year. The baseline category is South Korea. Robust standard errors in parentheses. ***p<0.01, **p<0.05, *p<0.1.

	Choice of Nonpartisan Ministers			
-	(1)	(2)	(3)	
Key policy post	0.954**	0.937**	1.076***	
	(0.393)	(0.405)	(0.366)	
President's support in legislature	3.489**	4.298 ^{**}	4.065* ^{**}	
	(1.492)	(1.770)	(1.928)	
Opposition fragmentation	0.084*	0.124**	0.138	
	(0.044)	(0.060)	(0.093)	
Presidential popularity	-1.783 [*]	-2.361	-2.293	
	(0.938)	(1.636)	(1.671)	
Electoral cycle	0.012	0.034**	0.036	
-	(0.009)	(0.015)	(0.030)	
Constitutional power	× ,	5.363***	6.436***	
1		(0.270)	(0.082)	
Term limit		0.651	0.578	
		(0.526)	(1.293)	
Legislative professionalization		-2.948	-2.633	
		(3.038)	(1.774)	
Inflation		-0.085	-0.080	
		(0.071)	(0.149)	
Age of democracy		0.031	0.037	
		(0.063)	(0.061)	
Cabinet reshuffle		-0.832	-0.909	
		(0.881)	(1.285)	
Taiwan	-0.292	33.73***	40.79***	
	(0.402)	(1.515)		
Philippines	-1.120*	(1.515) 11.34 ^{***}	(1.497) 13.70 ^{***}	
	(0.616)	(1.209)	(1.953)	
Indonesia	-2.098***	64.15 ^{***}	77.55***	
	(0.572)	(3.335)	(1.463)	
Constant	1.081	-113.3***	-136.7	
	(0.745)	(6.203)	(6.203)	
Log Likelihood	-171.20	-163.21	-158.27	
Observations	670	644	627	
Number of countries	4	4	4	

Table 3. Key Policy Posts and Choice of Nonpartisan Ministers: Logistic Regression Models

Notes: The unit of analysis is a minister. The baseline category is South Korea. Robust standard errors in parentheses. p < 0.01, p < 0.05, p < 0.1.