

WHAT ARE THE CONDITIONS FOR THE PRESIDENTIAL SUCCESS IN THE LEGISLATIVE ARENA?

The Brazilian Electoral Connection

by

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April 2000

Submitted to the Graduate Faculty of Political and Social Science of the New School
University in partial fulfillment of the requirement for the degree of Doctor of
Philosophy.

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For my Family and Leticia

ACKNOWLEDGMENTS

First of all, I will be forever grateful to Adam Przeworski, my advisor. Not only did he lead me through the labyrinthine process of writing a dissertation, but he also enlightened me as to the intrinsic link between political theory and methods. For my benefit – as always – he gives his blood to the dry exercise of studying politics, humanizing both the methods and the theory. I will never forget his availability to help me, even at the beginning when he still did not know me so well. Advising a new student is almost like an adoption process – a cause Adam really embraces, and not only with me. In addition to being my advisor, Adam quickly became a very good friend and tutor.

I would also like to thank David Plotke for the enormous with which he treats his students. The warm way in which David receives the new students is certainly one of the reasons for his success at the New School. I was so nervous attending my first class in the U.S., that when he asked where I came from I answered giving my name rather than saying Brazil. Still, he did not lose hope in my progress. David is also responsible for introducing me to American politics.

Ari Zolberg was a very pleasant surprise during my qualification. When he was called almost at the last moment to take part in my dissertation committee, he did not hesitate but rather faced the challenge. From that moment until now, Ari has seriously alerted me as to the importance of describing with precision the rules of the Brazilian political system. I might confess that Chapter 3 is for you, Ari, and I had a lot of fun writing it.

It is important to say that this is a “double-nationality” dissertation. In the USA I studied theories, methods, and techniques that would help me to understand those particular to Brazil. I lived and studied in New York for 3 and half years, and I took one and a half years in Brasília writing the thesis. It is hard to be far away from your advisor when you are doing this kind of task. In compensation, however, I had the chance to discuss and share ideas on my dissertation with people I would have never known had I stayed in just one country.

Among these special things I found in Brazil, I sincerely express my gratitude to Bernardo Mueller and Fernando Limongi. More than fellow interlocutors in academia, they became my dear friends. Bernardo taught me, with unlimited patience, how to deal with the little tricks in the statistic and econometric stuff, always spendthrift with his time and knowledge. We had such a great affinity of ideas that we are now co-authors. Fernando definitely played the role of my advisor in Brazil, always testing me, getting involved with my dilemmas and impasses, and pushing me ahead. In several instances Fernando was able to foresee obstacles I would face, giving me answers and thus enabling me to avoid them.

I do believe Luiz Carlos Bresser Pereira was my most important stakeholder, certainly the central figure in my field research. He gave me important information, but more than this, he systematized information for me, expressing his opinions and even advising me about the general theory. As a political scientist, aside from his position in the Cardoso's government at that time, he was able to understand, like no one else in the executive branch, the importance of my research (at least for me). He opened the doors for me, without any self-interest, and at the same time, set up important interviews with executive members, who would have never received me without his hand.

To count on Adam, David, Ari, Bernardo, Limongi and Bresser as true interlocutors was a great honor and privilege. Moreover, to be considered on par with them I felt a great sense of responsibility. I hoped I would not let them down and this thought was a great encouragement in finishing my dissertation.

Other fellow professors also gave me important and insightful ideas, among them Robert Kaufman, David Epstein, John Ferejohn, José Casanova, Andrew Arato, Anthony Pereira, Scott Mainwaring, Barry Ames. Actually, Scott and Barry gave me careful comments about papers and parts of the dissertation.

I should also thank the numerous people who gave me precious information and data at any given moment during this process, but I would be unfair if I wrote their names. Nevertheless, I would like to recognize Eduardo Graeff, Eduardo Jorge, Luiz Carlos Santos, Floriano Pesaro, all important men occupying top positions in the executive and legislative branches and who opened their full agendas to talk to me. Some people of the Congress staff helped very much: thanks to Mozart Vianna Paiva, Cláudia, Beto, and Léo. I also thank Lúcio Vaz for the data he allowed me access to.

I must especially thank my master advisor, Marcus André Melo, who showed me the first steps in research and shared with me concerns about scientifically tested approaches. He is also responsible for leading me to another country, for opening windows for ideas of studying overseas. He followed my steps even without being my formal advisor. Nilson Rosário Costa is also one of the friends on whom I can count unconditionally, always giving tips, bolstering me and relieving my anxiety.

In New York some friends shared with me all the angst and happiness of living in a foreign country, helping me and being sympathetic. First of all, I am eternally thankful to my ex wife, Bethânia Assy, who jumped ahead without fearing the challenges of living in New York and who shared with me both dreams and realities. I am also grateful to Adalmir Marquetti, Frederico Gonzaga, Vera Chueiri, Cristiane Carneiro, André Regis, Leone Sousa, and Paulo Moscou. In Brasília, also, friends and students shared with me the angst of being far from your academic references. I thank Eduardo Leoni, Tatiana Ribeiral and, especially, Lúcio Renno, who shared with me valuable data and ideas. It was a great luck to have friends like these by my side during such an exceptional and unique period of life.

The members of the GT “Political Institutions” of Anpocs – the Brazilian Social Science Association - also had a noteworthy participation in my dissertation. In three consecutive meetings of this group I had the chance to submit my papers, which were parts of my dissertation drafts, to their comments. Today they represent consistent political scientists in Brazil and each of their keen comments influenced me somehow while I was organizing my data and writing the dissertation. Thank you Argelina Figueiredo, Maria Hermínia Tavares de Almeida, Fabiano Santos, Renato Lessa, Renato

Boschi, Wanderley Guilherme dos Santos, Jairo Nicolau, Charles Pessanha, José Antônio Cheibub, Eli Diniz, among others.

Without the financial support of CNPq – The Brazilian Agency for financing science and researches - I would have never even embarked on this journey. As an institutionalist I should say thank you for the set of rules that form the CNPq. In particular, some of the staff pay special attention to their “final clients.” Thanks go to Alcina Taitson, Cristina Reis, and Maristela Bianca Braga. Some of the staff of the New School University also demonstrated a very broad sense of how hard taking a degree is. Thank you Gary St. Fleur, Cindy Mueller, Nancy Shealy, Shelley Hurt, and Eliza Nichols for your care and efficiency.

I should say that I am a very lucky man, because no one has more proud parents than I. The way they support me, always stimulating me and encouraging my will to go ahead. To all my family, especially my sisters, who invariably showed me the funny side of every hard work, thanks a lot. I would also like to give thanks to my in-laws, who gave me care and support.

Finally, but not least important, I might say that this dissertation is also a consequence of being married to Letícia Schwarz. In uncountable moments, she was not just my wife, but my closest partner, giving me suggestions and gentle critiques of how I should approach concepts and theories. Her ability to deal with “life things,” and especially, with people has taught me to believe, once again, in things that I did not believe any more. For you, Letícia, I dedicate this dissertation for being always in love with me.

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LIST OF ABBREVIATIONS

PSD	Democratic Social Party
PT	Worker's Party
PSB	Brazilian Socialist Party
PC do B	Communist Party of Brazil
PFL	Liberal Party
PTB	Brazilian Labor Party
PMDB	Party of the Brazilian Democratic Movement
Prona	Party of National Order Reunification
PPR	Reformist Progressive Party
PPB	Party of the Brazilian People
PDT	Democratic Labor Party
PRN	Party of National Reconstruction
PP	Progressive Party
PDS	Social Democratic Party
PDC	Christian Democratic Party
PTR	Renovator Labor Party
PRS	Social Reform Party
PPS/PCB	Socialist Popular Party
PRP	Progressive Republican Party
PT do B	Labor Party of Brazil
PMN	Party of National Mobilization
PV	Green Party

CHAPTER 1

INTRODUCTION

The main goal of this dissertation is to develop a simple model to analyze the Brazilian legislator's voting behavior with regard to his/her relationship with the executive. In particular, I intend focus on four aspects as follows: first, on the means with which the president can induce compliance in his/her parliamentary base of support in Congress; second, on the role put forth by political parties and ideologies constraining legislators' voting behavior; third, on the influence brought about by institutional design of the Brazilian electoral and party system as well as internal rules of Congress; and, fourth, on the electoral connection between legislators and their constituencies.

What the president needs most from members of Congress is their votes. Votes are the basic commodity of presidential-congressional relations. Therefore, the general questions that I will try to answer through this model are the following: How can the president build a governing coalition inside the Congress? How can the president induce or create incentive for his/her parliamentary base of support in the Congress and therefore to vote according to the president's interests?

To do such a thing, the president therefore must design an incentive scheme considered mutually beneficial to both parties. Within this scheme, the legislator who votes according to the presidents' own interests is rewarded, while those who vote against him are penalized. Central to this is the idea that in accepting to vote for the president, a legislator must receive compensation great enough so that his/her costs will be properly reimbursed. In other words, in his/her negotiation with the president the legislator must obtain at least as much utility as the level of her/his reservation utility. His/her reservation utility is understood as the act of voting according to his/her constituency preferences without any transfer from the president.

Therefore, the generic problem facing the president is as follows: How can he induce the legislators who take part of his coalition in the Congress to act in his own interest? What has really mattered is if and to what extent the president offers appropriate incentives to politicians (legislators) in order to promote the government's interests.

Roughly speaking, legislators' behaviors of voting in the Congress have presented two typical patterns. The first is the *party vote*, in which the deputy follows the party leader's or coalition's indication (for the majority of Brazilian legislators it actually means cooperation with the president's interests). Second is the *personal vote* (not cooperation with the president), in which there is a higher level of freedom for the legislator to follow his/her private and/or personal preferences. The *personal vote* is most often seen when parties place weak or no constraints on the behavior of individual representatives.

Scholars of the largely disperse literature on presidential-congressional relations recognizes and concur that most often legislators do present these two distinct voting

behaviors. However, they offer different answers about the conditions under which legislators choose to strategically cooperate with or disregard the president's preferences in Congress. More specifically, there is no consensus among the political scientists who study legislative behavior. On the other hand, there are also many theories about how presidents lead in the Congress. These theories offer differing explanations regarding which determinants (or, independent variables) best explain the legislator's behavior inside the Congress.

This dissertation in a broad sense classifies the pertinent literature on presidential-congressional relations in three main schools¹ with the following typology (see Table 1).

Table 1: Typology of Executive-Legislative Approaches

<i>Presidency-Centered Approach</i>	<i>Congress-Centered Approach</i>	<i>Institutional-Centered Approach</i>	
(Richard Neustadt, 1960; Paul Light, 1982; Samuel Kernell, 1993; George Edwards III; Mark Peterson, 1990)	(Bond and Fleisher 1990; Cox and McCubbins 1993; Alesina and Rosenthal 1995)		
		Electoral Variant	Internal Variant
<ul style="list-style-type: none"> • Presidential leadership skills • Presidential popularity • Presidential resources • Presidential capacity of bargaining 	<ul style="list-style-type: none"> • Political Parties • Political ideology 	(Ames, 1995; Mainwaring and Shugart, 1997; Mainwaring and Scully, 1995) <ul style="list-style-type: none"> • Electoral System and Party Incentives 	(Figueiredo e Limongi 1999; Shugart and Carey 1992; Keith Krehbiel 1992) <ul style="list-style-type: none"> • President's constitutional powers of Legislating • Congressional Agenda-Setting Powers • Centralization of the Decision-making process

¹ Indeed, I borrow this typology distinction between presidency-centered and Congress-centered approaches from the presidential-congressional relations literature (Bond and Fleisher, 1991; Peterson, 1995; among others) and added the third branch of authors labeled here as institutional-centered approach.

The presidency-centered approach, which represents the majority of the literature, focuses its analysis on the presidential variables – for example, presidential leadership skills, presidential popularity, presidential resources, presidential capacity for bargaining, and so on. This first approach seeks, indeed, to determine the extent to which there is a direct correlation between the president's efficacy and the resultant impact on legislators' voting choices; i.e., is the legislator's decision to vote in support of the president's position the result of president's attempt to actually influence their votes? And, if so, has the president exercised an effective leadership?

Second is the Congress-centered approach, which principally emphasizes the role of political parties and political ideology. According to this second approach, there is a direct correlation between the number of seats occupied by the president's party or coalition and the president's success in Congress. Other determining factors include levels of shared values and preferences between members of Congress and the executive. Hence, when individuals are elected to Congress whose preferences coincide with the president's, then he will enjoy greater success. If, on the other hand, congressional members are not in alliance with the president, then he will suffer more defeats, and no amount of bargaining and persuasion can do much to improve his success.

Finally, there is the institutional-centered approach, which can be divided in two variants. The first variant essentially gives emphasis to incentives provided by electoral laws to explain the legislators' behavior. Because of that, it is labeled here as the Institutional Electoral approach. According to scholars of this approach, for instance, the presence of an open-list and proportional representation allows the citizens to select their candidates instead of parties. As follows, they can base their selections on candidates'

personal qualities, their activities, and personal records. This provides a strong incentive for candidates to develop direct links with his/her constituency groups rather than to mediate such relations through political parties. These constituency groups may be local government, local business elites, professional groups, and others. Thus, the personification of the vote is highly influenced by the way that citizens elect the individual legislator (Mainwaring and Scully 1995; Mainwaring and Shugart 1997; Haggard 1995; Haggard and Kaufman 1995; Lima Junior 1993; Ames 1995a and 1995b; Lamounier 1994).

By contrast, the second variant of the institutional-centered explanation emphasizes the institutional rules and structures that organize the legislative process itself. In other words, the set of rules and internal procedures that define the level of centralization in terms of prerogatives of initiating the decision-making process (agenda setting) in the hands of deputies or in the hands of parties and/or executive.

Actually, this second variant, called here the Institutional Internal approach attempts to explain how institutional variables internal to the decision making process (the distribution of power inside Congress) and the institutional legislative powers held by the president work as key variables in the definition of the legislator's behavior (Figueiredo and Limongi 1997, 1996, 1995).

It is very important to recognize from the beginning that this typology should not be understood as a straitjacket. On the contrary, this classification intends to promote a better understanding of the main arguments and differences between them. It is not uncommon, thus, to find that some authors work with more than one variable, some of

which are evident in other, different approaches. However, my aim in proposing such a typology is to emphasize the main characteristic of each author and school.

Each scholar, and each differing approach, has contributed much to elucidate the complex set of reasons that explain legislators' pattern of voting; why some presidents experience grater success than others; and also, why presidents face more problems in approving certain issues than others. However, they have presented limited and partial explanations as well as depicting an incomplete picture, specifically by privileging one or other variables that they elect as the most important to explain the legislator's voting behavior. In other words, they work with only a single variable to explain this complex and certainly multivariate phenomenon.

A critical discussion about how each theoretical approach understands the relationship between president and Congress is useful as it help establish the basic theoretical framework necessary to build an alternative model. My concern in proposing a multivariate model, therefore, is to understand the variety of factors and determinants of legislators' behavior at the same time.

These factors and determinants are as follows: institutional variables (such as internal congressional rules and electoral rules and procedures), presidential variables (presidential skills and capacities in negotiating and controlling the legislative agenda), and congressional determinants (legislators' partisan and ideological predispositions).

Through this model, it will be possible to assess the impact of one or a group of variables within the context of presidential-congressional relations. For example, are certain variables more significant than others vis à vis a specific issue - especially a controversial one? This model also seeks to investigate said variables within diverse

contexts, and to estimate their power to influence legislators' voting behavior on the floor of the Chamber of Deputies.

In order to make inferences about the strength of each variable, it is necessary to assess a multivariate model capable of running all variables simultaneously. Therefore, legislative behavior measured through roll call analyses can be more profitable if done within a multivariate model.

I - Organization of the Dissertation

In Chapter 2, I shall briefly reexamine these three theoretical broad approaches. I will focus on the main accounts of each school in terms of their analytical strengths and weaknesses regarding their attempts to explain legislators' voting behavior.

In chapter 3, I describe in depth the rules of the game of the Brazilian political system. I divide this discussion into two main parts: first, I focus on the incentives provided by the Brazilian electoral and party systems with regard to legislators' behavior. Second, I study in detail how Congress works. More specifically, I investigate how two broad institutional features of the decision-making process are the key to understanding how the executive head controls the Congress: these are, first, the president's constitutional powers of legislating; and second the centralization of the decision-making power in the leaders' hands within the Congress.

In the fourth chapter, I offer an alternative multivariate model of analyzing the legislator's behavior with regard to his/her relationship with the president. In the first section of the chapter, I state the assumptions made within the model. Then, I present the model itself, followed by a careful description of the model's variables and their respective hypotheses.

In the fifth chapter I start empirically testing the model with descriptive statistics comparing different groups of variables regarding the distribution of legislators cooperation with the president. In this descriptive analysis I use the test of hypothesis about the means of the populations in order to determine if they are, in fact, statistically significant, and as a consequence, I can reject the null hypothesis that they are the same.

The chapter six tests the hypotheses of the model and analyzes its results using a logistic estimation. In other words, I estimate the capacity of the model's variables to explain legislators' behavior using a logistic regression analysis.

In the final chapter, I conclude the dissertation focusing on the most important ideas and findings, with special attention to elucidating the manner in which the Brazilian electoral connection functions.

CHAPTER 2

THE PRESIDENTIAL-CONGRESSIONAL RELATION APPROACHES IN REVIEW

I - Presidency-Centered Approach

Perhaps the most significant proponent of this first approach is Richard Neustadt in his now classic book, *Presidential Power* (1960). He begins arguing that a government of “separated institutions sharing powers” guarantees that the President will be frustrated by Congress. In order to overcome this inevitable conflict Neustadt asserts that the President must be a supreme politician and rely on his power of personal persuasion, bargaining, reputation, prestige, and compromise. His analysis, therefore, focuses on what the president does and how well he does it. According to this viewpoint, presidents may not dominate Congress, but they are usually key in establishing the agenda of issues that Congress will debate and consider. To a significant degree, the president's agenda becomes the legislature's agenda.

Paul Light makes a very important distinction between presidential resources and formal prerogatives. According to him, “formal prerogatives guarantee certain

advantages, but they do not explain the vast differences between individual presidents.” (1982, 14) By making such a distinction, he observes that it is the combination of presidential resources, internal and external,² that shapes the president’s agenda and not the president’s institutional prerogatives. He adds, saying, “What differs is the *fuel*. Different presidents enter with different fuel (...) Thus, it is not the system of checks and balances that determines agenda outcomes; it is resources drive the presidential machinery.” (p.14)

Among the presidential resources, I will briefly discuss the popularity and leadership skills as they are the most studied among the presidency-centered explanations. The belief that presidential popularity affects support in Congress is widely accepted in presidential-congressional relations literature. The idea that sustains such scholars is that the desire for reelection leads members of Congress to support the president in response to his popularity. Thus, when the president is very popular, members of Congress, especially members of the president’s party, want to be closely associated with the president’s administration. In bad times, however, they will want to distance themselves from the president.³

² Light means by ‘internal resources’ the set of personal presidential skills, which hinge on four main components - time, information, expertise, and energy. And by external resources - party support in Congress, public approval, electoral margin, and patronage -, those resources that create the president’s congressional strength, what he also calls ‘presidential capital.’ He adds that these resources rise and fall over the presidential term creating two distinct policy cycles: (1) the cycle of decreasing influence which appears when time, energy, and congressional support drops; and (2) the cycle of increasing effectiveness when information and expertise grow. Light, Paul C. (1982). The President’s Agenda: Domestic Policy Choice from Kennedy to Carter (with notes on Ronald Reagan). Baltimore, The Johns Hopkins University Press.

³ Some authors have suggested that particular kinds of lobbying strategies can also be important for presidents to achieve success in Congress. Samuel Kernell, for example, has shown the increasing importance of a “going public” strategy as a way for presidents to influence the legislative process. Presidential speeches to the nation oriented to focused constituencies have become a prevalent presidential resource. Kernell, Samuel (1993). Going Public: New Strategies of Presidential Leadership. 2d ed., Washington. Congress Quarterly Press.

Despite extensive research, the findings presented by scholars seeking to explain the relationship between the President's public approval and support in the Congress are very diverse and mixed. Rivers and Rose, for instance, argue that members of Congress recognize that they and the president share a common political fate "based in their understanding of how the public holds government accountable for policy failure...[T]his connection promotes congressional support for the program of a popular president."⁴ Peterson (1990) adds that when the president "had the approval of more than half the electorate and went on television to discuss issues related to what the public considered to be the most important problems facing the nation Congress reacted more favorably to the president's initiatives in those areas."⁵

Edwards also suggests a strong correlation between presidential popularity and congressional support. He asserts that "presidential prestige does serve as a source of presidential influence in congress." (1980,99) However, in his later work (1989,109) Edwards claims that "one should not expect public approval to translate directly into support in Congress (...) no matter how high his approval level climbs or how large his winning percentage of the vote, a significant portion of the Congress still oppose his policies." Thus he concludes, "the president's public support must compete with other,

⁴ Rivers, H. D., and Zrose N. L. (1985). "Passing the President's Program: Public Opinion and Presidential Influence in Congress," American Journal of Political Science, 29, 183-96. See also Brody, Richard A. (1991). Assessing the President: The Media, Public Opinion, and Public Support. California, Stanford University Press.

⁵ Peterson, Mark A. (1990). Legislating Together: The White House and Capitol Hill from Eisenhower to Reagan. Cambridge: Harvard University Press. See also Peterson, Mark A. (1995). "The President and Congress." in Nelson, Michael (ed). The Presidency and the Political System. 4th ed., Washington: Congress Quarterly Press. 440-467.

more stable factors, that affect voting in Congress, including ideology, party, personal views and commitments on specific policies, and constituency interests.”⁶

Bond and Fleisher’s (1990) new findings also suggest that presidential popularity is directly related to support from members of the President’s party and inversely related to support from members of the opposition. In other words, popular presidents tend to receive more support from members of their party but less support from members of the opposition. Therefore, these authors add, “presidential popularity is not likely to alter greatly the decisions of individuals already in Congress. Instead, its effects are likely to be indirect, operating through the electoral process to alter the distribution of partisan and ideological forces in the Congress.”(p.29)

I refer again to Richard Neustadt and his research about presidential leadership skills. According to Neustadt, one of the most important sources of influence in Congress is the President’s professional reputation as skilled or unskilled. He believes that professional reputation is a “cardinal factor in the President’s own power to persuade.” (60) Although Neustadt and others focus mainly on interpersonal skills, which involve the president’s ability in face-to-face contact and negotiations with members of Congress, students of presidential-congressional relations also refer to other kind of skills, namely ‘structuring skills.’ Structuring skills hinge more on a manipulation of the environment in which the bargains between president and legislators take place. Perhaps the most

⁶ Edwards, George C. III (1989) At the Margins: Presidential Leadership of Congress. New Haven, Yale University Press.

important structuring resource available to some presidents is their ability and power to set the Congress's agenda.⁷

Just as questions of presidential popularity have inspired controversy among scholars, presidential skills have also raised doubts, especially in terms of methodological and empirical evidences. King (1983), for example, observes that the empirical evidence in support of skill theory is based on a small number of cases. These cases were selected because they were major presidential proposals on which presidential interest and activities were high. Such cases, however, are neither typical nor representative of presidential-congressional relations. Although the skills variable has occupied almost the dominant position in this literature, King insists that "it would be quite wrong to conclude that a president's warmth, charm, and knowledge of congressmen's susceptibilities can ever be crucial except at the margin (...) because members of Congress have their own political needs and priorities, which the president, whoever he is, is mostly powerless to affect." (254, 265)

In a similar way, Light also raises a strong criticism against analyses that use the variable presidential skills. He suggests that "a president can be skilled, charming, charismatic, a variable legislative wizard, but if he does not have the basic congressional strength, his domestic agenda will be severely restricted -- [political] capital [number of seats in the Congress] affects both the number and the content of the president's priorities." (1982, 34)

⁷ Here it is crucial to make a distinction between those authors who analyze the president's ability to set Congress's agenda as a personal capacity to setting priority, sense of opportunity and time, and initiative from those who emphasize the institutional constitutional rules and procedures that strategically benefit the president in setting the congress agenda. This second group will be discussed later in this dissertation.

In addition, a presidency-centered approach also becomes problematic when attempting to understand how very different types of presidents, with sharply contrasting backgrounds and styles, can enjoy comparable rates of success with Congress. This approach also over-emphasizes the conflict between the president and Congress, ignoring the reality of conflicts among interests within the Congress itself, usually perceiving of it as a unified body (Peterson 1995). Scholars who can be grouped beneath yet another broad umbrella – namely that of the Congress-centered approach -- attempt to correct such deficiencies inherent in the presidency-centered explanations.

II - Congress-Centered Approach

Proponents of the Congress-centered theory simply affirm that the president's policy preferences may prevail for reasons that have nothing to do with presidential influence or skills. For instance, greater presidential success may result if the president and Congress have very similar policy preferences. In such situations, regardless of whether the president is weak or powerful, his preferences will succeed because they correspond to those of most Congressional members want to do anyway. If either the president's party exerts strong control in Congress, or if the president accumulates some institutional legislative powers, the president's interests may be equally prevalent insignificant popularity or personal skills.

Advocates of this second approach emphasize a much greater autonomy of the Congress. They argue, namely, that Congress is an institution composed of strong-willed politicians who have goals and policy preferences of their own. Consequently, according

to Bond and Fleisher (1990), the result of the latest election determines the president's success. If individuals are elected to Congress whose local interests and preferences coincide with the president's, then he will enjoy greater success. If, on the other hand, most members of Congress have preferences different from the President's, then he will suffer more defeats, and no amount of bargaining and persuasion can do much to improve his success.

Considered one of the president's most essential resources, capital is nonetheless directly linked to the congressional parties. Further, while there is little question that bargaining skills can affect both the composition and the success of the president's agenda, without the necessary party support, no amount of expertise or charm can make a difference. And "Though bargaining is an important instrument of presidential power, it does not take place in a neutral environment. Presidents bring certain advantages and disadvantages to the table."(Light 1982; 26)

Edwards (1984, 180-84) points out that previous research on presidential-congressional relations reveals that members of the president's party in Congress are more likely to support his policy position than are members of the opposition. He makes many suggestions as to why members of the president's party are predisposed to vote according to his preferences. These preferences may include questions of policy, reelection concerns, personal loyalties, or may hinge on presidential resources, such as patronage, or the distribution of pork barrel programs. Presidents can use these last programs to reward loyal party members and to punish those who oppose him. Therefore, following this argument, it is plausible to assert that partisan support is important when identifying factors, which contributed to the president's success in Congress.

Cox and McCubbins (1993, 2) also attribute a definitive role to the political parties, assessing that they frame legislator's behavior inside the institutional arrangement of Congress, especially the committee system structure. They consider that, "parties in the house -- especially the majority party -- are a species of 'legislative cartel'. These cartels usurp the power, theoretically resident in the House, to make rules governing the structure of legislation. Possession of this rule-making power leads to two main consequences. First, the legislative processes in general -- and the committee system in particular -- is stacked in favor of majority party interests. Second, because members of the majority party have all the structural advantages, the key players in most legislative deals are members of the majority party's central agreements are facilitated by cartel rules and policed by the cartel's leadership."

Keith Krehbiel (1993), however, argues that political parties will shape the legislator's policy choice only if parties are politically significant. According to him, "if parties are empirically significant, then politics should be significantly different with parties from what it is without them. For instance, a partisan legislature should be organized significantly different from a non-partisan one; its decision making process should be different; and its final policy choices should be different." (240) Implicit in this assertion is the distinction between party influence and personal preferences. For him, parties -- as a group -- are significant if individual legislators vote with fellow party members even when they are in disagreement as to the policy in question. He concludes

saying that “the apparent explanatory power of the variable, party, may be attributed solely to its being a good measure of preferences.”⁸

Congress-centered literature further identifies another important factor structuring legislator’s voting decisions. Political ideology can be perceived, in this sense, as a set of shared values that exist between president and some members of Congress. According to Kingdon (1981, 268), in his analysis about the role of ideology on roll call votes in Congress, “at least for a congressmen who is at either end of a given spectrum, ideology is a means to array the amendments and the proponents on a continuum, enabling him to vote for the one nearest him.” While ideology is less useful for moderates than it is for ideologues on the left or right, its influence “is nearly always present.” (Kingdon, 1981, 271)

The literature of ideology variables posits a definitive association between ideology and constituency, assessing that these variables are not separate influences on congressional behavior, especially are on roll call decision-making. Indeed, it is generally assumed that the legislator’s personal ideology is constrained by constituency interests. Richard Fenno (1978, 144), for example, observes that legislators believe their voting records are very important for reelection. He says that a single discrepancy vote from the constituency’s interest could not defeat the representative, but that “voter disapproval of their total, overall policy performance could.” He implies that overall performance is indicated by the incumbent’s ideological voting pattern.

⁸ Krehbiel, Keith. (1993). “Where’s the Party?.” *British Journal of Political science*, 23: 2, 235-266. See also David W. Rhode (1991), *Parties and Leaders in the Postreform House*, Chicago, The University of Chicago Press.

Thus, constituency forces play a decisive role in the decision making because members of Congress are vulnerable to their electorates. Obviously, these forces are less important whenever members are secure in their constituency. According to Sullivan (1987, 290), constituency “trust acts as a buffer modifying the main effect of the constituency variables.” Therefore, trust makes it possible to respond more positively (or at least much freely) to the party leader; the president; and so on. “Secure from defeat, a member may act more independently of constituency forces. On the other hand, those more closely threatened by defeat are far more likely to exhibit inflexibility in dealing with administration requests for support whenever they would violate constituency interest.”

Douglas Arnold (1990: 5) also assumes that members of Congress care intensely about reelection. He points out that “although they are not single-minded seekers of reelection, reelection is their dominant goal. This means simply that legislators will do nothing to advance their other goal if such activities threaten their principal goal.” His assumption implies that “whenever legislators are asked to choose between two alternative policies they first ask which alternative would contribute more to their chances of reelection. If they see a significant difference, they choose the alternative that contributes more to their electoral margins. If they see no difference, they may base their choice on any other criteria they find relevant, including their intent to make good public policy and their need to trade favors with congressional leaders, other legislators, and the president.” (p.60)

Ideological motivation is also appropriated when legislators are asked to express a public opinion in roll calls on issues about which they have very little information. To

take a stand in such situations, especially when they have only a limited time, the ideological and programmatic references become key in justifying the legislator's behavior. Such references are also evident in that legislators frequently turn to their partners, looking more for cue-advice, which may aid them in their decision making process. Thus the tendency to seek information from political partners who have similar political values explains the formation of ideological and partisan voting blocs (Kingdon 1981; Santos 1997; Kiewiet and McCubbins 1991).

As in the presidency-centered approach, there are many other authors who reject the decisive role of Congress-centered explanation, especially partisan and ideological powers. Morris Fiorina (1984) argues that the insulation of congressional incumbents from national tides and presidential coattails has resulted in a Congress that is less responsive to party leadership, less subject to the presidential leadership, and less accountable for the failure to govern. Fiorina also asserts that in a situation of 'divided government,' when the president's party has the minority of seats in the Congress, there is a "more subtle, more indirect effects on the political process, such as raising the level of executive-legislative conflict." (1996, 166)

The general criticism against the Congress-centered approach asserts that the process of building winning coalitions in the Chamber of Deputies has become more uncertain and difficult since parties have presented increasingly undisciplined behavior. It is common to find considerable variation in the behavior of party factions, especially in the patterns of cross-pressure legislators who are typically divided. Even members of the party bases, who have reinforcing partisan and ideological preferences, frequently fail to unify for or against the president's position.

According to Ferejohn and Calvet (1984), candidates for Congress have become less dependent on party for campaign organization and finance. And once a representative is in office, the advantages of incumbency tend to insulate him or her from national tides and to decrease the effectiveness of presidential coattails. Those arguments identify weakened party variables as an important link between president and individual representatives in Congress.

In terms of ideological determinants, some authors have also admitted that those variables are limited for several reasons. An important limitation is encountered in its own assumption that ideology is a voting cue especially for legislators who are localized at the extreme ideological spectrum. As moderates form the majority of the legislators, ideology could have at maximum a marginal effect. However, the strongest criticism against ideology variables is concerning its relatively informal character. Without an integrated institutional structure, ideological coalition formation remains relatively ad hoc with very limited effects. Hence, numbers of seats and shared values and preferences do not necessarily translate into votes in Congress.

The apparent limitations in both presidency-centered and Congress-centered approaches have led students to look for other potential determinants in exploring the voting behaviors of congressional legislators; hence, the institutional-centered approach.

III - Institutional-Centered Approach

Institutional Electoral Variant

As mentioned earlier, the institutional-centered explanation can be divided into two variants, those of the electoral and internal institutions. I shall first analyze the chief arguments raised by the institutional electoral explanation, focusing on the role of electoral rules in framing the structure of party systems and the resultant legislators' behavior. Advocates of this variant claim a correlation between the voting patterns of congressional members and the institutional rules with which citizens may select legislators. Other causal factors include the level of fragmentation and discipline inherent within political parties. Indeed, this variant considers party discipline and party fragmentation as direct results of electoral laws. (Ames 1995; Mainwaring and Shugart 1997; Mainwaring and Scully 1995)

According to this variant, the presence of an open-list and proportional representation allows citizens to take an active role in selecting their candidates, rather than deferring to the preferences as they might be determined by political parties. Those rules provide strong incentives for voters chose representatives based on their personal qualities and records and, at the same time, for candidates to develop direct links with their constituency groups, such as local government, local business elites, and professional groups, rather than mediate this relation through political parties. It is possible to assert that the greater the customization of the legislator's vote (or, preference effects), the greater the level of party indiscipline. Otherwise stated, the closer the

candidate is to his/her constituency, the less control the political party has concerning the indication of the candidate.

By contrast, the presence of a closed-list offers less power to individual legislators while simultaneously providing more party control concerning the legislator's future behavior. It further offers strong incentives for legislators to cooperate with the party leader's indication (or, party effects). Consequently, by providing less autonomy for legislators, this kind of selection offers a greater level of anticipation oriented to a less fragmented party outline. Thus, with disciplined parties, presidents can negotiate primarily with party leaders, thereby reducing the number of actors involved in negotiations.

Mathew Shugart and Scott Mainwaring (1997, 421) in the conclusion of their new book, *Presidentialism and Democracy in Latin America*, elucidate the electoral institutional laws that determine party discipline. They believe that, "the extent to which members of a given party's congressional delegation vote as a bloc or, on the other hand, vote independently of one another, can be expected to be strongly related to three basic features of the rules under which they become candidates and are elected. These three features are - control of candidates selection, control of the order in which members are elected from a party list, and pooling of votes among a party's candidates - all strongly affect the degree of influence leaders have over the rank-and-file members."

In summary, in systems where parties have limited control over nominations, the order of the list, or both, candidates owe their election largely to their own efforts to promote individualism in campaigning. Successful candidates are also less likely to be loyal legislators of a disciplined party when the latter did not secure their victory to begin

with. Therefore, such systems contain strong incentives for individualism, factionalism and party indiscipline.

Barry Ames is another author who develops an institutional theory of candidate strategy by explaining the campaign behavior and the spatial patterns of vote distribution for those candidates seeking election to the Brazilian Chamber of Deputies. According to him, the core of Brazil's political institutional crisis lies in the electoral system. This system being a unique set of rules, referred as 'open-list proportional representation.' He affirms that as a consequence of this electoral arrangement, the Brazilian deputies seek to secure bailiwicks, search for vulnerable municipalities where their obvious and rational choice is to concentrate campaigns, and strive to overcome their own electoral weakness by delivering pork barrel.⁹

According to Mainwaring and Lian (1996), party discipline influences how legislatures function and how executives and legislatures interact. They argue that "With comparatively undisciplined parties, support for government can become less predictable and stable, and presidents may have difficulties forming stable bases of support. Presidents are sometimes forced to rely on ad hoc bases of support, rather than counting on party leaders who can deliver the votes of their fellow legislators. This is a difficult situation for presidents, and it encourages the widespread use of patronage to secure the support of individual legislators or party function. Under these conditions, presidents are less likely to accomplish their legislative agendas." Presidents, thus, can not consistently rely on national party leaders to deliver the vote of their co-partisans. Rather, they must

⁹ Barry Ames, 1995, "Electoral Strategy under Open-List Proportional Representation." American Journal of Political Science. Vol.39, N° 02, Pp.406-33. See also Barry Ames, 1995. "Electoral Rules, Constituency Pressures, and Pork Barrel: Bases of Voting in the Brazilian Congress." The Journal of Politics, Vol. 57, N°02, Pp.324-43.

often win the support of leaders of factions or governors, both of whom exercise influence over individual legislators, or they must win the backing of individual members of Congress.

It is fair, however, to observe that Mathew Shugart and Scott Mainwaring (1997) propose other variables than electoral rules and party systems, such as presidential constitutional powers,¹⁰ in order to ensure that the president's agenda is enacted. Presumably, these two factors – which they call *constitutional* and *partisan* powers over legislation – interact to determine the degrees of influence presidents have over their policy; and hence their strength.

Shugart and Mainwaring assert that presidents who have no independent constitutional authority over legislation would appear very weak if they lacked control over a majority party. However, they might appear to dominate, in spite of their constitutional weakness, if they were undisciplined leaders of the majority party. On the other hand, presidents with substantial legislative powers may have significant influence over legislation even if their party lacks a legislative majority – indeed, even if their party is a minor one. Such presidents would also have independent influence over policy even if they were not the unchallenged leaders of their party. On the other hand, presidents without constitutional legislative powers might not be able to leave a stamp on

¹⁰ Actually, Shugart and Mainwaring discuss three broad categories of a president's constitutional powers: (1) *reactive legislative powers*, that is, those that enable presidents to block legislation - above all, vetoes and partial vetoes; (2) *proactive legislative powers*, that is, those that enable presidents to legislate. The best example is decree power; (3) president's capacity to *shape the congressional agenda*, such as the right to declare a bill of their own initiative urgent. Scott Mainwaring and Matthew S. Shugart, (Eds). (1997). Presidentialism and Democracy in Latin America. Cambridge University Press. For an excellent distinction between "constitutional (entrenched) presidential power and legislative powers delegated to the president by congress" see also Mathew S. Shugart and John M. Carey (1992). Presidents and Assemblies: Constitutional Design and Electoral Dynamics, Cambridge University Press.

policy even if their party has a majority in situations such that the party itself is divided with respect to the leadership provided by the president.

However, even while recognizing the existence of variables other than electoral laws and their possible impact on legislator's behavior, Shugart and Mainwaring regard legislative powers of presidents, at most, as a device to bypass the lack of party discipline. Legislative powers of the president are not a means to bypass an antagonistic institution. They provide presidents with the means to entice part of the legislature's members into a cooperative strategy (Figueiredo and Limongi 1997, 17).

Internal Variant

According to this second variant, the combination of the institutional variables internal to the decision making process – the level of the centralization of power – of the Congress, and the president's legislative powers allow the executive to control the legislative agenda and, as a result, to increase the capacity of the president to acquire support for his policies.

Figueiredo and Limongi (1997, 3) assert that “electoral laws and lack of party control over candidacy may give politicians room for cultivating personal votes and defying party line. But individualistic behavior does not encounter a milieu to develop in Congress. The institutional powers held by the executive, on the one hand, and the centralized decision making system in the legislature, on the other, impose restrictive agendas and limit legislators' role in policy outcome.”

The Brazilian case is a very good example of the powerful presidential prerogatives. There, the rules of the game have clearly favored the executive through its

agenda-setting veto powers, either via reduced quorum or decree power. Figueiredo and Limongi contest the thesis that the new legislative powers, attributed to the Brazilian Congress in the 1988 Constitution, are an obstacle to executive actions. The empirical evidence on the relationship between the executive and the legislative after 1988 reveals an opposite scenario: rather than being an obstacle, the Brazilian Congress has favored presidential initiatives. In fact, the Brazilian President has directed the legislative process, and has undermined the legislature's autonomy.

Hence, presidential power has not been decisively limited by the new Constitution. According to Figueiredo and Limongi, the executive has made ample use of *Medidas Provisórias (MP)* - provisional decrees. Although the provisional decree established by Article 62 was originally created as a tool to be used only in situations of urgency and relevance, it has been used frequently. From 1989 to 1993 the government sent to Congress an average of ten MPs per month (to make a total of 792 MPs). Only seven were rejected and 229 were approved; while the remainder were revoked or lost their efficacy.¹¹ Although the excessive and indiscriminate use of the provisory decree (MP) may contribute to a low level of democracy,¹² it is important to recognize that it, like the “confidence vote procedure” in parliamentary democracies,¹³ exercises a decisive role in equilibrating the system.

¹¹ Argelina Cheibub Figueiredo and Fernando Limongi “Mudança Constitucional, Desempenho Legislativo e Consolidação Institucional.” *Revista Brasileira de Ciências Sociais*, nº29, October 1995.

¹² Adam Przeworski among others, affirms that “the resilience on decrees is a symptom of weakness, not strength.” referring to the concept of ‘delegative democracy’ raised by O’Donnell which means that if the decisions in a democracy are made not within a framework of representative institutions, it does not necessarily crumble but loses its vigor and citizens interest. See Adam Przeworski (org), (1995), *Sustainable Democracy*, Cambridge, Cambridge University Press.

¹³ John D. Huber. (1996), *Rationalizing Parliament: Legislative Institutions and Party Politics in France*, Cambridge: Cambridge University Press.

Article 62 not only gives the president the power to legislate, it also gives him influence over the congressional agenda. If Congress fails to act on a provisional measure within 30 days, it automatically goes to the top of the legislative agenda, displacing issues that the Congress may have been discussing for some time. Moreover, Article 64 of the 1988 Constitution also gives the presidents the right to declare a bill of their own initiative “urgent.” Under these conditions, the two houses of Congress are obliged to vote on the bill within 45 days. If they fail to do so, the bill immediately moves to the top of the legislative agenda, pushing aside bills of congressional initiative. Article 57 allows the president to convoke a special session of Congress. During such a session, Congress is allowed to deliberate only those issues determined by presidential initiative.

In summary, the combination of the partial veto, the provisional measure and the urgent initiative enables Brazilian presidents to effectively obstruct legislation they do not want, and to impose their own legislative priorities onto the congressional agenda. With all of these institutional devices, it is no surprise to conclude that the executive has greatly dominated the legislative process in Brazil.¹⁴

Concerning the internal organization of the Brazilian legislature, Figueiredo and Limongi claim that after the Constitution of 1988 it has had a unique design. Instead of being organized in terms of political parties or committees, the internal rules have attributed to party leaders asymmetrical rights regarding the legislative agenda and amendment prerogatives through two decision-making instances: the Directing Table (*Mesa Diretora*) and Leaders Group (Colégio de Líderes). These two institutional

¹⁴ Shugart and Carey (1992) ranked the 1988 constitution as providing the second most powerful presidential capacities in the legislative arena among 43 constitutions they studied.

committees have clearly benefited the executive regarding the definition of the legislative agenda and during the process of deciding-making itself.

Finally, in regard to discipline and party behavior in the Brazilian Congress, it is possible to observe that the pattern of legislators' voting and coalitions are not so fragmented as the literature has claimed. Concerning the pattern of party coalition, Limongi and Figueiredo, in a recent provocative article, suggest the presence of three ideological blocks in the Brazilian Congress: right, center, and left.¹⁵

According to these authors, from 1988 to 1994 the parties that make up these blocks have voted in a very similar way. They also point out that of 221 cases that were analyzed, 143 (64.7%) were labeled as ideologically consistent – that is, when the blocks sharply voted against each other – while 18 (8.1%) were considered less consistent. Similarly, when the party leaders allow their party members to vote in different way – following their own principles and/or interests – and only 54 (24.5%) of votes were really considered ideologically non-consistent.

Moreover, Limongi and Figueiredo affirm that it is common for the parties' members to follow their leader's indication. Only in 33 cases of a total of 1317 voting did legislators vote against the party line. The data shows that, during this period, the party with the evidence of lowest internal cohesion, the PMDB saw 85% of its members vote in the same way, implying a very high level of internal discipline. They also affirm that the constant turnover of the members of right-wing parties and the continual changes of labels do not directly affect the deputies' behavior in plenary sessions.

¹⁵ Limongi, Fernando and Figueiredo, Argelina C. (1995), "Partidos Políticos na Câmara dos Deputados: 1989-1994." *DADOS - Revista de Ciências Sociais*, Vol.38, nº3, Pp.497-525. See also Figueiredo, Argelina C. Limongi, Fernando. (1995), "Mudança Constitucional, Desempenho Legislativo e Consolidação Institucional." *Revista Brasileira de Ciências Sociais*, nº29.

Even with all these institutional mechanisms, it would be naive to conclude that Brazilian presidents can get anything they want by steam-rolling Congress. Although these new institutional findings offered by Limongi and Figueiredo show a re-thinking of the traditional view of labeling and understanding the Brazilian party system, it is important to recognize that most especially in situations where the legislative constituency is threatened, one should never expect parties to function in an integrated or disciplined way.

A very good example of successive government defeats was seen during the legislative voting on social security reform on March 6, 1996. The government's reform proposal got only 294 of the 308 voters needed (or, three fifths of the Chamber of Deputies) to institute a constitutional change; 190 deputies voted against the reform, and 8 deputies abstained. Of 190 deputies who voted against the reform, 101 came from all parties that give political support to the government in Congress, including 9 votes from the President's party, the PSDB. The whole map of the dissident votes reveals that 40 came from the PMDB (45.4%), the biggest dissident party; 29 from the PPB; 08 from the PTB; 07 from the PFL; 04 from the PL; and 01 from the PMN.¹⁶

In summary, the rich literature of presidential-congressional relations, broadly divided here into the presidency-centered approach (focusing on the presidential capacity of bargaining and coalition building), the Congress-centered approach (based on partisan and ideological powers), and the institutional-centered approach (which examines electoral and internal rules), has identified these six most important variables as a source of presidential support in Congress. Although all these approaches try to answer the same

¹⁶ "Base de Fernando Henrique Cardoso ajuda a Derrotar a Reforma" *Folha de São Paulo*, 03/07/96.

question, that is, what are the conditions for presidential success in the legislative arena, they do so in different ways, offering conflictual and often partial explanations. Actually, each of those approaches illuminates one facet of the inherently complex relations between President and Congress. Undoubtedly, these approaches have offered much insightful explanation as to the phenomenon of the executive-legislative relationship. Nevertheless, by working with models that deal with isolated variables instead of considering the influences of all variables simultaneously, those approaches have presented analytical limitations. The intended theoretical contribution of this thesis, then, is to build a model that takes into account each of those variables, which have been traditionally analyzed in an isolated way. My concern in building such a model is to clearly assume that presidential, congressional, electoral, and institutional internal variables matter in constraining the bulk of legislator's options.

CHAPTER 3

INSTITUTIONAL DETERMINANTS OF THE BRAZILIAN POLITICAL SYSTEM: INTERNAL AND EXTERNAL RULES

In this chapter I intend to provide information concerning the internal and external rules of Congress, and how they structure the Brazilian political life. In other words, I aim to describe how various Brazilian institutional designs affect the ways in which the political process operates, and, more specifically, how legislators vote. To do so, it will be necessary to first make an analytical description of the Brazilian electoral and party system. In addition, in the second part, I also hope to elucidate the internal rules, which govern the decision making process inside the Brazilian Congress.

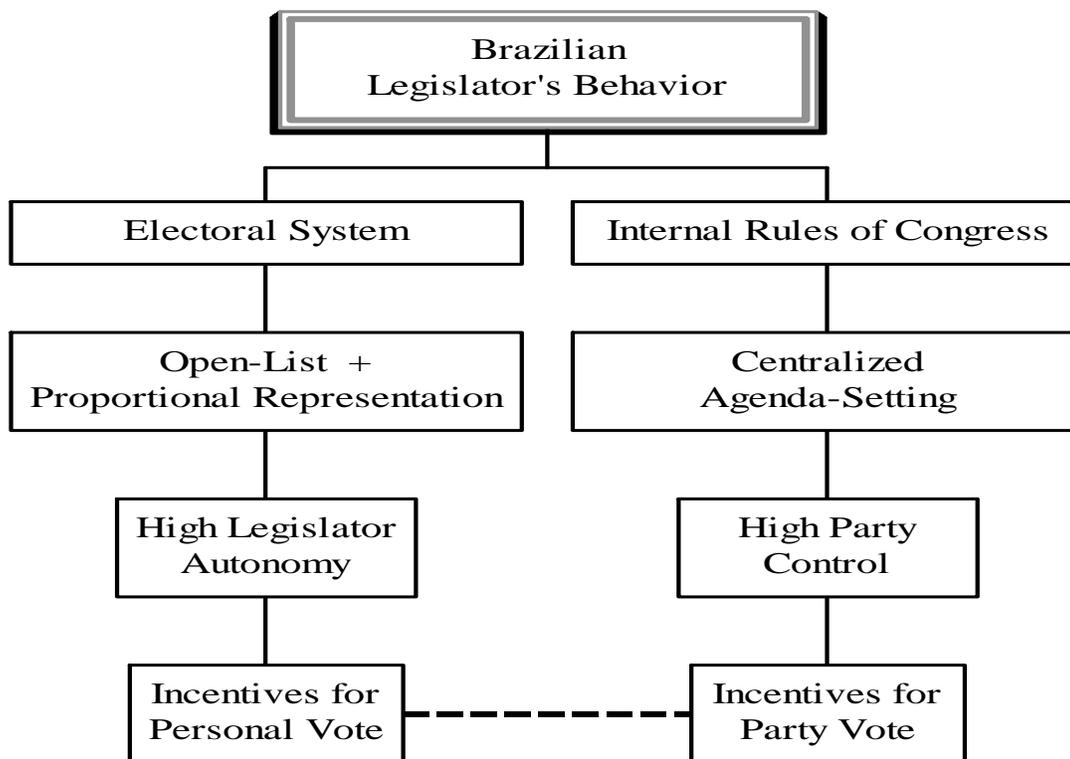
To begin, however, it is important to understand that the Brazilian political system can be characterized neither as a purely decentralized nor as a purely concentrated system. In fact, it condenses those two different and antagonistic forces at the same time. As will be shown in this chapter, while, on the one hand, some features such as electoral rules, a multiparty system, and federalism act as decentralizing the political system, on

the other, the internal rules of the decision-making process inside the Congress and the presidential constitutional powers act toward centralizing it. In fact, the electoral rules provide incentives for politicians to behave individually while the internal rules of the Congress, and the president's power to legislate, render legislator behavior extremely dependent on loyalty to the party.

Actually, it is the result of the combination of electoral and internal rules that will define the relative prices of the legislator's voting behavior. Therefore, in Brazil, the combination of these two forces – the electoral and internal rules of Congress – provides paradoxical incentives for both personal and party votes at the same time. Summarizing, on the one hand, in terms of legislator's selection, the deputy has incentives to behave personally. On the other, in terms of agenda-setting power, the deputy has incentives to behave according to the party leader or, in the last instance, according to the president's interests (See Chart 1).

In this case, the dynamic equilibrium point that can be reached can change from one issue to another. Precisely, it chiefly depends on the capacity of the president and his party leaders in offering the appropriate incentives -- political and economic benefits -- to individual legislators in order to overcome his/her personal costs from voting for president.

Chart 1: Electoral System versus Internal Rules of Congress



I – The Electoral System and Party Incentives

This section argues that party systems and political actors' incentives are significantly influenced by the rules regulating electoral competition. In Particular, politicians' actions are directly affected by the incentives established in three manners: namely, the selection, the campaign, and the electoral processes. While some electoral rules demand an intrinsic loyalty to the party, others clearly motivate individual behavior.

Various scholars have defended the idea that if parties control candidate selection, political campaigns and the order of the ballot, the individual legislators must act according to the party positions and leader indication; if they do not act accordingly, their political careers will be threatened. On the other hand, if candidate selection and election campaign are perceived as dependent on personal records and individual initiatives, then legislators will have few incentives to behave according to the party indication, and, therefore, their parties are likely to be less cohesive and less disciplined. Thus, there will further be a link between personal votes and weak parties; between party vote and strong parties.

The electoral system can be classified in many different ways. In general terms, however, it is possible to say that the literature classifies the electoral system using two structural features that orient strategic voting: seat allocation and district magnitude.

According to the principle of seat allocations, it is useful to distinguish between two polar cases. The first, a 'winner-takes-all', the system awards all seats at stake to the party or candidate winning the most votes. Second, the 'proportional representation' system, allocates legislative seats to parties in proportion to the percentage of total votes that the parties receive.

The district magnitude simply quantifies the number of seats that are to be filled in a given electoral district. In the U.S., for instance, the district magnitude equals one in all House districts, while in Israel the whole country serves as the electoral district. In Brazil, each different state is a single, at large, multi-member district. The number of seats or district magnitude range from 8, in less populated states, to 70 in the largest one, São Paulo. According to Nicolau (1996, 55), although the Brazilian mean magnitude is

considered high about 19 it is possible to conceive the *effective magnitude* as a median instead. He says that if just the positive votes (candidates and party) are divided by the real electoral quotient, the mean magnitude drops from 19 to 15.

It is inferred by the literature that systems employing a winner-takes-all principle set in motion a series of unifying incentives to coalesce. Parties and candidates will be driven to act in accordance with one another – or to coalesce, as the largest coalition or party takes all. The majority of winner-takes-all systems employ single-seat districts; although it is possible to use a district magnitude larger than one. Increasing the district magnitude while holding constant the winner-takes-all principle merely increases the incentives to coalesce.

Systems that employ a proportional representation principle of seat allocation also present parties and votes that have some incentives to coalesce. However, these incentives become progressively weaker as the district magnitude increases.

It is possible to conclude that, following Sartory's terminology, systems are *strong* when they provide substantial electoral incentives to coalesce, *feeble* when they provide little or no such incentives. Systems with low district magnitudes or winner-takes-all seat allocation formulas are strong; systems with high district magnitudes and proportional representation seat allocation are feeble. Strong systems put a meaningful upper bound on the number of parties, while feeble ones do not. The winner-takes-all seat allocation caps the number of parties at two, regardless of district magnitude (Duverger 1954; Palfrey 1989; Cox 1994). Proportional allocations in districts of magnitude M cap the number of parties at $M+1$ (Cox 1994; Cox and Shugart 1996).

Electoral systems also have an important influence on the nature of party systems, affecting, in particular, the number of parties, factions, and individual politicians that will compete for a position. Several authors argue that systems that pit members of the same party against one another in direct electoral competition tend to promote the creation of factions. Several features stimulate such intra-party electoral competition.

One practice most frequently pointed out by the literature is that of the “open” list in systems of proportional representation, as seen in Brazil. The voters may either vote according to party labels or cast their electoral tickets directly for individual candidates. Most voters, however, choose the second option – about 90%. This system, in real terms, has stimulated voters to cast their ballot for an individual candidate. Voters thus directly determine which of a party’s candidates will represent them in the legislature. Hence, those candidates face substantial incentives to compete with one another and as a consequence to form factions in an effort to differentiate themselves from their intra-party competitors.

In a “closed” list system, voters are endowed with a single vote, which they must cast for a particular party’s list of candidates. If a party wins a number of seats, then the top candidates on the party’s list get the party’s seats. In such system, voters have no power to directly affect which of the party’s candidates actually represent them in the legislature – hence those candidates really cannot compete against one another.

The direct inference pointed out by the literature is that closed-list systems militate against the pursuit of purely personal electoral reputations. Consequently, it is in politicians’ self-interest to maintain good standing with party leaders who draw up the order of the list. Otherwise, their chances of being elected suffer. If parties control

candidate selection, campaigns, and the order of the ticket, individual representatives must be loyal to the organization. Otherwise, their own political careers will be threatened. Under these conditions, discipline and cohesion are likely to be strong.

In contrast, systems, which give voters a single vote, which they must or can cast for an individual candidate, make the pursuit of a personal vote potentially profitable. That is, open-list systems provide incentives for voters to base their choice of electoral support on the candidate's own personal qualities and activities, rather than on those of his or her party. Thus, if winning nomination and election depends mostly on individual initiative, then politicians have less incentive to obey the positions of the party leadership (Carey and Shugart 1995). The party organization is likely to be looser, less cohesive, and less disciplined.

In sum, it is possible to draw two important conclusions from the literature. First, systems that use more proportional methods of seat allocation and have larger district magnitudes are weaker, while systems that rather rely on a winner-takes-all basis and have low district magnitude are stronger. Second, systems that promote intra-party competition for votes and seats provide more candidate – or faction – based electoral politics, while systems that disallow or hinder intra-party competition for votes and seats promote more party-oriented elections.

The legislative election in Brazil is settled under a class of rules largely known as proportional representation with open-lists. In such a system, the seats are allocated in proportion to the percentage of the total votes that each party receives. However, as the great majority of voters endorse individual candidates rather than of parties, election depends basically on a candidate's ability to obtain individual votes.

Also, the total amount of votes obtained by each candidate determines the order of candidates on the party list. In other words, the party neither control nor determine who will be its representative. Actual ballots, for example, do not include the candidate's name, so the party cannot list them in a preferred order. Instead, voters entering the polling area must know the name or number of their candidates. Individual politicians must rely on their own resources and their own political constituency to become candidates.

The party's candidates are chosen through indirect elections called conventions, and are elected by party delegates. According to Mainwaring (1999, 249), however, although the conventions have the formal authority over candidate selection, they almost always ratify agreements that have been reached by top party and government officials before the conventions even occur. Usually, conventions are presented with a *chapa única* – a ticket previously arranged and defined.

Therefore, the Brazilian institutional electoral system, the mechanism of candidate selection, and some party rules create incentives for individualistic and anti-party behavior. The Brazilian electoral system helps to explain the individualistic behavior of politicians in the electoral arena and has contributed to the weak institutionalization of the party system.

However, Ames (1999, 45) reminds us that “the Brazilian system magnifies this tendency. The rules allow unlimited reelection, and parties are obligated to renominate incumbents desiring reelection, no matter how they voted in the previous legislative section.” This is the so-called *candidato nato*, whereby incumbent federal deputies have the right to be on the ballot for the same position in the next election. This, of course,

frees politicians from party leaders' influence, and as a consequence, undermines the notion of leadership.

The process of candidate selection is also very much affected by the federalism in Brazil. By federalism, I mean the extensive influence of local politics, mayors and state governors as powerful forces with significant autonomy *vis à vis* the federal government. The control exercised by state governor and local politicians over the action of legislators is widely known.

A direct correlation can be drawn between this influence of local leaders and the selection of legislative candidates. At core is the premise that the selection occurs basically at the state or local level. One result is the creation of decentralized state parties rather than of national centralized parties. In order to guarantee his nomination, a candidate needs to build political alliances at the local and state levels, decreasing the impact of party politics and at the same time orienting the legislator's behavior to ward pork barrel politics in order to attend to local clientele.

Strong federalism also impacts the president's aim of achieving a safe majority in the Congress. In order to ensure his preferred policies, it is not enough for the president to build a national coalition based on a party's representation in Congress. The president needs to also consider the satisfaction of regional demands, especially from governors. This, of course, forces the president to take into consideration state and regional interests when making cabinet and other high-ranking appointments.

The Political and Ideological Composition of the Brazilian Congress

At this point, it would be relevant to discuss the composition and distribution of parties in the Brazilian Congress since the last election in 1994. This enables us to assess the correlation between current political and ideological forces and to further explore success or failure rates of executive proposals.

Results of the 1994 election suggest that an institutional political reorganization is taking place in Brazil. It is perhaps too early to speak of a durable institutional change, but something new has occurred. In this election, 18 parties took hold of at least one seat in the Chambers of Deputies, and 11 conquered a seat in the Senate.

The first clue of this institutional transformation in the Brazilian political sphere was the decrease of ideological polarization in the presidential election. The ideological debate was considerably weaker than the previous election in 1989. Marcus Figueiredo (1994) affirms that “the maximized strategy to get voters was based on electoral arithmetic instead of ideological arithmetic.” The preponderance of a political strategy, in which the main concern of parties’ political marketing is to get voters instead of members, was clear from the candidates’ refusal to discuss controversial themes - like privatization or state reform - that could lose voters support. Therefore, the questions that were prioritized by the candidates were themes that offered a low level of ideological discrepancy. As a result, the candidates exhibited similar programs and speeches, and approached the center in ideological terms.

Moreover, the parties were more likely to form coalitions instead of presenting isolated candidatures. As a result, ideological differentiation was not as evident as it was in 1989. A main evidentiary factor is located within the formation of a coalition by the

center-left party, PSDB, with the two traditional conservative parties, PFL and PTB. This election marked the strengthening of the new center-right field, thereby emptying the social space for the ‘pure’ right, and somewhat weakening the social influence of the left.

The second clue hinges upon the idea that the Brazilian multiparty system seems to be stable with eight effective¹⁷ parties (PMDB, PFL, PSDB, PPR/PPB, PT, PP, PDT, and PTB). The number of parties that elected representatives to Chambers of Deputies did not significantly alter from 1990 to 1994. In fact, it decreased from 19 to 18. The level of party fragmentation also remained basically stable. According to Rae and Taylor’s formula, the party fragmentation indicator decreased from 0.937 to 0.929. Although this indicator still reveals a high level of fragmentation, it is not a result of a high number of representative parties, but represents the emergence of a number of medium-sized parties that appeared from the split and decomposition of the two ‘giant’ parties – PMDB and PFL – after re-democratization.¹⁸

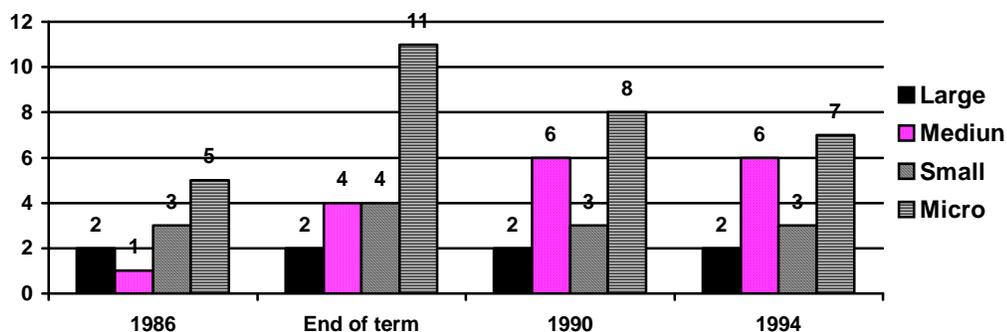
Martins Rodrigues (1995) uses a numeric criterion to classify the Brazilian parties into four categories: large, medium, small, and micro-parties. For him, large parties are the parties whose representation is above 16%. Following this measure only two parties, PMDB and PFL, have occupied this position since 1986. He conceives parties that possess between 10 and 30 seats, approximately from 2% to 6%, as small parties (PSB,

¹⁷ These parties are considered effective parties because their leaders have the regimental right to guide the party’s vote once they control more than 0.01% seats in plenary.

¹⁸ The flagrant case was the PMDB. Since 1986, this party started to undergo a series of defections until the creation of the PSDB. From 257(52.9%) Deputies who were elected in 1986 exploiting the success of *Cruzado* plan, 131 left the PMDB diminishing its percentage of seats to 26.5% at the end of their mandate. Therefore, it is just the expansion of medium sized parties that has elevated the level of fragmentation of Brazilian political system. Rodrigues (1995) identifies four processes of creation of these medium parties: “transfer (the of PSDB during the legislature of 1987-90 that was basically created); migration from other parties (PDT and PRN), fusion (PDT, PDS, PRN, PTB), and voting (PT).”

PL, and PC do B). The parties with less than 10 Deputies are labeled as micro (PMN, PSD, PSC, PPS, and PV). Between the two large parties and small and micro parties he classifies the parties of medium size, in the interval between 6% and 15% (PSDB, PPR/PPB, PT, PP, PDT, and PTB). (See graph 1)

Graph 1: Size and Number of Political Parties in the Chamber of Deputies



At first glance, the large number of parties in Brazil suggests a high level of fragmentation. As we can see in the Table 2, however, the number of parties has presented a trend of reduction to and stabilization at around 18. Additionally, what really matters according to Limongi and Figueiredo is how these parties function inside Congress. As I will show in the next section of this Chapter, the parties have operated in an ideological continuum from left to right; further, the effect of the existence of multiple parties has less influences than has been claimed by the literature.

Table 2: Percentage of Parties' Seats in the Brazilian Chambers of Deputies

Party	1982	1986	1990	1994
PMDB	39.3	44.7	21.7	20.8
PFL		24.6	16.9	17.3
PPR/PPB	53.6	19.8	8.7	10.1
PSDB			7.6	12.3
PDT	2.6	5.6	9.1	6.4
PTB	3.3	2.7	7.4	6.2
PT	1.2	1.0	7.0	9.5
PP				7.0
PL		0.2	3.0	2.5
PSB			2.0	2.9
PSD			0.2	0.6
PC do B		0.4	1.0	2.0
PRN			8.0	0.2
PPS/PCB		0.6	0.6	0.4
PMN			0.2	0.8
PSC				0.4
PRP				0.2
PRS			0.8	
PV				0.2
PTR			0.4	
PST			0.2	
Prona			0.4	
PDC			0.4	
Without parties		0.2		
Seats	420	479	503	513
Parties	5	10	19	18

Source: Lima Junior 1995

The composition of the Congress actually underwent a small modification in the 1994 election. The major parties, PMDB and PFL, maintained almost the same level of representation, as they already possessed in 1990, although the numbers of seats of both parties were significantly smaller than they were in 1982 and 1986. The left and center-left parties, on the other hand, enlarged their representation, especially the PT and PSDB. In general terms, the profile of seat distribution that emerged from the 1994 congressional election almost followed the same profile presented by the presidential election. That is,

it indicated a weakening of the ‘pure’ right, a significantly strengthening of the center, and a small growth of the left.¹⁹

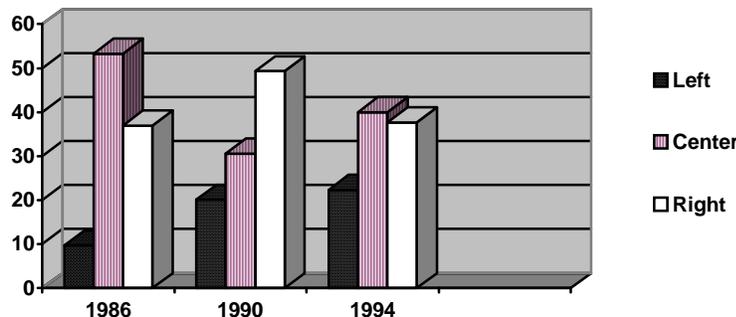
Therefore, the chief political realignment that occurred between the 1990 and 1994 elections to the Brazilian Chamber of Deputies illustrated a re-composition of the *center* through the center-right alliance built around the PSDB and the PFL. According to Luis Fernandes²⁰, if we look back at the 1986 election, we see an “accordion effect, in which the centrist forces had a crushing majority (44,7%) in 1986, then were squeezed (30.6%) by the polarization of right (Collor) versus left (Lula) in 1989, and then grew (40.0%) again in 1994 through the coalition with the right. With regard to the leftist parties, their most important moment of growth really occurred in 1990 when they almost tripled their representation from 7.6% in 1986 to 20.1%. Indeed, in the 1994 election, the left parties as a whole basically consolidated (22.4%) their position through the PT’s growth and the fall of the PDT. The parties of the right were the major losers in the 1994 elections, as they decreased from 49,3% in 1990 to 37.6%. (See Graph 2)

¹⁹ Although the political and ideological classification of parties in Left, Center, and Right seems arbitrary and imprecise, especially in terms of Brazil where the fragility and heterogeneity of the parties are broadly recognized, it is possible and helpful to label them as such since the pattern among them has been very consistent and uniform. As is recalled by Limongi and Figueiredo, the parties’ voting in the Brazilian Congress has displayed an ideological *continuum* from left to right where coalitions are the rule of the game. Therefore, it is possible to classify the Brazilian parties as follows:

- Parties located on the Right: PFL, PPR, after PPB (fusion of PDS with PDC), PTB, PL, PSD, PSC, PRP, and Prona;
- Parties located at the Center: PMDB, PSDB, PP (fusion of PTR with PST), and PRS;
- Parties located on the Left: PT, PDT, PSB, PC do B, PMN, PPS (old PCB), and PV.

²⁰ Luis Fernandes, “Muito Barulho por Nada? O Realinhamento Político-Ideológico nas Eleições de 1994,” DADOS, Vol. 38, N° 1, 1995.

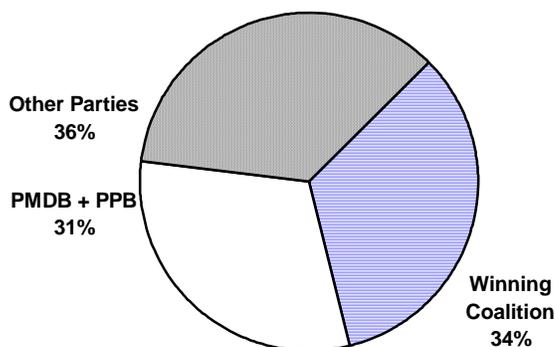
Graph 2: Percentage of Political and Ideological Composition in the Chamber of Deputies



Party and ideological correlations have, nevertheless, been very similar when compared with the two previous elections. In other words, the original winning coalition – PSDB (12.3%) – PFL (17.3%) – PTB (6.2%) - that elected Fernando Henrique Cardoso as President represented 33.6% of Congressional votes. Adding the votes from the PMDB (20.8%) and the PPR/PPB (10.1%), parties that also participated in the Cardoso government, the supporting parliamentary base reached 64.5%. Therefore, in numeric terms, the government had a clear-cut majority far beyond the required simple majority (50% + 1) and was big enough to achieve, without the support of any other party²¹, the qualified majority (3/5 of votes) required to amend the Constitution (see Graph 3).

²¹ The Government's parliamentary support base can yet be enlarged through the inclusion of a center party, PP that represents 7% of the votes as well as five right parties, PL (2.5%), PSD (0.6%), PSC (0.6%), PRN (0.2%), and PRP (0.2%).

Graph 3: Government Coalition Spatial Distribution of Seats in the Chamber of Deputies



The evidence suggests that the party system has presented a trend of stabilization regarding the number of parties and the level of fragmentation. In addition, the ideological and political composition has clearly benefited, in numerical terms, the government. What is really interesting, at this point, is to analyze how members of Congress have behaved inside the Congress. Does this numeric majority translate into executive effectiveness in approving his agenda? What is, in fact, the level of internal cohesion between parties inside Congress? It is true that the majority of Brazilian legislators will not follow the party's leader orientation? Is the party coalition, in fact, truly fragmented?

Although Brazil has no institutional provisions for non-incremental change in its political system, it is possible to see a clear shift in the legislators' behavior inside Congress. Even without a large structural or institutional transformation, some specificity of internal organization of the legislative work has shown that the Brazilian political

parties have presented a more structured and integrated parliamentary outline than what has been portrayed in the literature.

Although different parties should be considered as different veto players, the Brazilian parties have behaved in an ideological continuum according to their positioning between the right to the left. There are, therefore, three essential blocks of veto players: right, center, and left. Naturally, within the construct of the government coalition, there are several other partisan veto players. However, the large numbers of parties (as well as the frequent exchange of parties and labels principally by conservative legislators) have neither altered their political and ideological behaviors nor their positions inside the Brazilian Congress.

Concerning the pattern of party coalitions, Limongi and Figueiredo (1995), in a recent provocative article, also suggest the presence of three ideological blocks in the Brazilian Congress: right, center, and left. According to these authors, from 1988 to 1994 the parties that make up these blocks have consistently voted in similar ways (see Table 3). They also point out that out of the 221 cases that were analyzed, 143 (64.7%) were labeled as ideologically consistent; that is, when the blocks sharply voted against each other; 18 (8.1%) were considered less consistent; that is, when the party's leaders allow the party's members to vote in accordance their own principles and/or interests; and only 54 (24.5%) of voting events were really considered ideologically non-consistent.

Table 3: Ideological Blocks' Coalition

VOTING	RIGHT	CENTER	LEFT
United	163	138	156
Divided	41	46	47
Indefinite	3	26	11
Without Information	14	11	7
Total	221	221	221

Source: Limongi and Figueiredo 1995.

Moreover, Limongi and Figueiredo affirm that it is common for the party members to follow their leader's indication - only in 33 cases from a total of 1317 votes did legislators vote against the party line. The data shows that, during this period, the party with the lowest internal cohesion – the PMDB saw 85% of its members vote in the same way. Such findings imply a very high level of internal discipline. They also affirm that the constant turnover of the members of right-wing parties, along with the continual changes of party labels do not directly affect the deputies' behavior in plenary.

Party discipline is strongly influenced by the model of party coalition. Limongi and Figueiredo reveal that while the left-wing parties are highly disciplined, regardless of what is being voted on, the centrist and right wing parties are directly affected by the position of the other parties. When the disputes are not controversial, the right parties exhibit high levels of unity. Therefore, for the parties of the center and the right, party discipline depends on the ideological nature of the *issue area*²² that is voted on as well as the positions taken by the other parties of the same block. However, even with this fragility, they maintain that the Brazilian party system is far from being undisciplined.

With regard to the two major centrist parties, PMDB and PSDB, Limongi and Figueiredo find a very interesting and more fluctuating pattern. “The PMDB's internal discipline is stronger when a center-right coalition opposes the left. In 72 cases with this configuration, the PMDB presents an internal cohesion average of 84.5%; in 26 cases in

²² An issue area refers to a sector where the legislator presents a high probability of personal loss (e.g. in the Social Security reform when the executive proposes to end the special retirement of legislators who complete two consecutive mandates) and/or where the legislator can threaten his/her political legitimacy by voting against specific interests of his/her narrow constituency (e.g. some Deputies who were mainly elected by a particular group in the society will have great difficulty in voting against their constituencies even when their parties previously decided to vote for them). Therefore, in these issue areas, one does not expect the integrated and disciplined pattern found in other areas. This theme will be discussed in depth later.

which the PSDB associates oneself with the left, the average of cohesion of PMDB drops to 64.9%; in the 27 cases in which the center and left confront with the right, the average cohesion of PMDB falls still more to 58.9%. Hence, the PMDB's coalitions made with the right are more frequent and much more unifying than those made with the left."

With reference to the PSDB, high discipline occurs when a center-left coalition pits itself against the right. In this case, party discipline reaches 83.6%. However, its level of cohesion drops to 70.4% when it is in a coalition with the left-wing parties while the PMDB is united with the right. Nevertheless, the moment when the PSDB is most fragmented is when it is linked with the PMDB. In this situation, its level of cohesion falls to 66.4%.

The pattern of cohesion of micro and small parties found by Limongi and Figueiredo is very similar to that of large and medium parties. Actually, the small and micro parties have followed their respective ideological blocks. In other words, the left wing small (PSB and PC do B) and micro (PPS, PMN, and PV) parties have presented a very high level of cohesion (83.7%). This cohesion remains consistent regardless of what has been voted on. Hence, it is possible to say without the risk of exaggerating that the behavior of left-wing parties in the Congress, whether medium, small, or micro, is very predictable.

Concerning the micro (PSD, PSC, PRN, and PRP) and small (PL) parties located at the right of the ideological spectrum, they also present a high level of cohesion (72.9%). Data shows that the frequent changes of party affiliation from legislators on the right do not affect the way they vote in Congress. Thus, the existence of a large number of small and micro parties cannot be interpreted as a source of instability.

Authors further show that, contrary to general expectation, parties' voting on the plenary assembly is, in actuality, foreseeable. It is quite possible to accurately predict the results of plenary voting as legislators are expected to follow the party leader's indication. In general, since the left-wing parties have obtained around 20% of the seats, instances of less predictable voting principally occur when the center-right coalition is divided, and mainly when the PMDB and PFL are on opposite sides. It follows, then, that, when this coalition is maintained, as has occurred in the majority of cases, the parties forming the government coalition are also those with the most effective governing power.

According to the data offered by Limongi and Figueiredo, the widespread perception that the Brazilian political parties have a fragmented style of cohesion is a faulty one. The level of cohesion between the eight effective parties (as well as that of small parties in Congress) is far from being too low, as is claimed in the traditional literature. Indeed, the disciplined vote is the rule of the game. The literature makes this mistake as it analyzes the parties without differentiating between the level of cohesion and coalition among them, and because it does not take into account the legislative work occurring inside the Congress itself.

In keeping with such views, therefore, the Brazilian institutional electoral system and the mechanism of candidate selection are seen to create incentives for individualistic and anti-party behavior. So, the Brazilian electoral system helps to explicate the patterns of politicians' individualistic behavior in the electoral arena and also contributes to a weak institutionalization of the party system.

However, as will be shown in the next part, the Brazilian legislators have behaved in a very disciplined way, following their party leader indication. The main puzzle that must be investigated is as follows: why, when so many of the incentives within the electoral arena motivate the Brazilian legislators to act in accordance with their own personal preferences, do they instead chose to follow their party leader's indication?

The main argument that justifies the fragility of those authors who analyze the individual legislator's behavior in Brazil hinges on the absence of other mechanisms that give party leaders and the executive greater control over the decision making processes inside the Congress.

II – Executive Preponderance in Legislative Proceedings

In this section of the Chapter, I describe the manner in which the Brazilian Executive is able to enforce his/her preferences on the legislation being decided in Congress. Two broad institutional features of the decision-making process are key in understanding how the executive controls the Congress: the first is the president's constitutional powers of legislating; the second is the centralization of the decision-making power inherent in the leaders' role within the Congress arena. To begin, I will describe the presidential legislative powers as they are conferred by the Brazilian Constitution, and next I will show how the internal organization of the Brazilian Congress has benefited the executive.

Constitutional Powers

According to Mainwaring and Shugart (1997), there are three broad categories of a president's constitutional powers: (1) Pro-active legislative powers, that is, those that enable presidents to legislate and to establish a new status quo. The most common is decree power. (2) Reactive legislative powers, that is, those that enable presidents to block legislation and as a consequence defend the status quo against a legislative majority to change it - above all, vetoes and partial vetoes. (3) The president's capacity to shape the congressional agenda such as the exclusive power of initiating certain kinds of bills.

The most striking pro-active power in the Brazilian Constitution is the ability of the President to deliver provisional decree power (*Medidas Provisórias*). This meaningful institutional device allows the President to enact legally and promptly new legislation without congressional approval. Article 62 of the 1988 Brazilian Constitution not only gives the president the power to legislate; it also gives him influence over the congressional agenda. If Congress fails to act on a provisional measure within 30 days, it automatically goes to the top of the legislative agenda, displacing issues that Congress may have been discussing for some time.

Although the Constitution allows the President to make provisional decree in situations of urgency and relevance, the executive has had a history of making indiscriminate use of this institutional tool editing and re-editing a large number of decrees since the majority of the Congress rarely makes a final decision that goes against the presidential initiative.²³ This, of course, confers to the executive a clear advantage allowing him to set the legislative agenda by transferring to the opposition the

²³ The overall rate of approval of executive bills is high and rejections are rare, only 11 (2.4% of the total). The opposite happens to the legislature's proposals.

responsibility of building the needed majority to repeal or amend such provisional mandates by Congress. In truth, because a provisional decree continues to function as a law, a congressional majority is not necessary to approve it. In fact, it is only necessary that a majority does not reject it. According to Figueiredo and Limongi (1997), “there has been no provisional decree rejected since 1992. (...) Congress stopped considering the decrees sent and the executive re-issued them successively.”

Without taking into account the re-editing of provisionary decrees but considering those enacted into law (i.e., that became a juridical norm), the use of this constitutional device is very high, reaching an average of 3.5 a month in the period 1995-1997. In terms of issue areas, Table 4 shows that the Provisional Decree is most often invoked in economic (55.46%) and administrative (36.71%) matters. As we will later see, these high numbers are instrumental in determining the executive’s priorities regarding establishing agenda.

Table 4: Provisional Decree Enacted by Issue Areas (1995-1997)

	Economic	Administrative	Social	Political	Total
Quantity	71	47	10	0	128
%	55.46	36.71	7.81	0	100

In terms of reactive power, the most common is the veto in the sense that it allows the president to defend the status quo by reacting to the legislature’s attempt to change it. The most common is the *package veto* with which the president can reject the whole legislation sent by the congress.

Besides giving the president the power to veto an entire bill, the Brazilian constitution also empowers the president to veto a specific part within a bill – *partial veto*. Through this measure, the president may promulgate the articles of the bill with which he/she agrees while, at the same time, vetoing and returning to congress for reconsideration only the vetoed portions. Shugart and Carey (1992, 134) remind us that “while it is still technically a negative power, the partial veto allows the president to pull legislation apart and so to craft final packages that are more acceptable to the executive. As a result, presidential power becomes more flexible and potent than is possible with the cumbersome package veto.”

Perhaps for this reason the president has not used the package (or total) veto during the period from 1995 to 1997. In fact, presidential decisions regarding the future of bills have been to partially veto a specific part within a bill (see Table 5).

Table 5: Number of Bills that have Received Executive Vetoes (1995-1997)

	PACKAGE VETO	PARTIAL VETO	TOTAL	%
Kept	00	07	07	0.86
Not Voted by the Plenary yet	00	76	76	9.44
Total	00	83	83	10.06

Provisions of overriding presidential vetoes vary among countries. In Brazil, for instance, the 1988 constitution makes it relatively easy for congress to override a presidential veto since it just requires an absolute majority – that is, one-half plus one of the entire assembly present or not – of the joint chambers (Chamber of Deputies and Senate, *Congresso Nacional*). This criterion of absolute majority for overriding a presidential veto is valid for both package and partial vetoes.

The absolute majority standard has been considered a weak requirement for overriding the presidential veto, especially when it is compared with the two thirds majority requirement of Argentina, Chile, and the separate two-thirds majorities requirement in the U.S. Despite this fact, the Brazilian Congress has not made use of this institutional device during this time. Some authors²⁴ argue that this is the result of high absence rates in Congress.

In addition to the provisional decree and veto power, the Brazilian constitution defines some policy areas in which the Congress can consider no bill unless the executive has initiated it. In other words, the president has exclusive authority to introduce certain legislation – not only in budgetary and public administrative matters, but also in an array of important policy areas.²⁵

Regarding budgetary law, although the congressional majority has the right to amend the bills that were exclusively introduced by the president, it can only do so if those amendments are compatible with the multi-year budget plan elaborated by the executive as well with the law on budgetary guidelines. In addition, Congress may not authorize expenditure that would exceed the budgetary revenue. Those rules, in fact, not only restrict the congressional action, but also enable the president to preserve the status quo on budgetary matters. For instance, he has the choice to refrain from initiating a bill.

²⁴ See Shugart and Haggard (1998) and Mainwaring (1997).

²⁵ Precisely, the 1988 constitution (Art 61), allows the president the advantage to initiate bills that deal with the size of the armed forces; that create jobs and functions or increase salaries in the public sector; that relate to the administrative and judicial organization; taxation and budgetary issues; careers of civil servants; administrative units of the territories; organization of the offices of the Government Attorney and the public Defender of the Union, states, federal district, and territories; creation and structure of ministries and other branches of public administration.

Without fear of exaggeration, the president necessarily becomes the most important legislative actor (see Table 6). Of 805 bills passed from 1995 to 1997 by the Brazilian Congress, 648 (80.49%) were initiated by the executive, compared with only 141 (17.51%) and 16 by the judiciary (1.98%).²⁶

Table 6: Bills Enacted in the Chamber of Deputies (1995-1997) Who Introduced the Bill?

	EXECUTIVE	LEGISLATIVE	JUDICIARY	TOTAL
Quantity	648	141	16	805
%	80.49	17.51	1.98	100

Another indication of the greater preponderance of the executive inside the Congress is the huge difference between the mean time that bills introduced by the legislature take to be approved compared with bills introduced by the president – especially when compared with those matters exclusive to the president to initiate, such as provisional decrees and budgetary laws.

Table 7 aggregately indicates that the mean time executive's laws spend to be sanctioned is approximately 183 days. Taking each of the executive bills solely, a provisional decree takes about 26 days; budgetary law 58 days; administrative law 374; and ordinary law 375 days. In the other hand, legislation initiated by congress and

²⁶ As it has been largely shown by Figueiredo and Limongi (1995) this pattern of executive control of legislative agenda in the Brazilian Congress is not a privilege of the current government. On the contrary, previous presidents have dominated the legislative process since 1989 indeed. Of 1,259 laws passed between 1989 and 1994, 997 were initiated by the executive, only 176 by the legislature, and 86 by the judiciary.

judiciary takes about 1,128 days. The mean time of bills initiated by legislators is about 1,1194 days and by the judiciary 550 days approximately.

Table 7: Mean Time of Bill Enacted According to Initiator (1995-1997)

	Executive				Others	
Days	182.72				1128.94	
	Provisionary Decree	Budget Law	Administrative Law	Ordinary Law	Legislative	Judiciary
Days	25.67	57.54	374.48	375	1194.62	550.12

This constitutional provision awarding the exclusive right to initiate certain legislation has provided further consequences regarding the president's influence over the congressional agenda. There must be a clear division of labor inside the congress in terms of who legislates what. Table 8 reveals that both Congress and the executive have clear and distinctive agendas respecting issue areas. Of 684 bills initiated by the executive, 484 (74.69%) are in economic and 110 (16.97%) in administrative areas. By contrast, just 54 (8.33%) bills are in political and social areas. On the other hand, of 141 bills proposed by the legislators themselves, 79 (56.02%) are in social and political areas; 42 (29.78%) in administrative; and just 20 (14.18%) in economic areas. As we can see, therefore, Congress' actions have practically been restricted to coincide with areas of the presidential agenda.

Table 8: Bills Enacted According to Initiator and Issue Areas (1995-1997)

	Economic	Administrative	Social	Political	Total
Executive	484	110	51	3	648
%	74.69	16.97	7.87	0.46	
Legislative	20	42	67	12	141
%	14.18	29.78	47.51	8.51	
Judiciary	1	14	1	0	16
%	6.25	87.50	6.25	0	
Total	505	166	119	15	805
%	62.73	20.62	14.78	1.86	

The executive also has the prerogative to establish urgency time limits for voting procedures and bills according to presidential interests (Article 64 of the Brazilian Constitution). As a consequence, the president has the capacity to shape the congressional agenda. While under ordinary or normal procedures there is no time limit, under urgency condition, the Senate and the Chamber of Deputies are obligated to vote on the bill within 45 days. Figueiredo and Limongi (1997) remind us that “this prerogative is not extensively used (by the executive) since the provisional decree is much more efficient for speeding up and approving legislation.”

It is useful to note that this kind of *Discharge Petition* has several repercussions. Not only does it alter the rhythm of a project inside the Congress, but, since it is most often sent directly to the floor without a committee review, it also discharges the power of Committees to state a position concerning that project. Furthermore, a bill which is

scheduled under urgency procedure, is subject to other restrictions such as: it only can be amended by the committee, by one fifth of the house members, or by leaders representing this number.

According to the internal house rules (Art, 54), the urgency petition is not exclusive to the executive. The discharge petition can also be asked for by other actors beyond the presidency, such as “I – two thirds of the Direct Table’s (*Mesa Directora*) members; II – one third of house members or leaders who represent that number; III – two thirds of the Committee’s members that have been analyzing that specific bill.” After that, this requirement must be submitted to the floor for approval. From a pragmatic point of view, the urgency petition tends to be deliberated over by the party leaders who only submit it to the floor symbolically to get an easy approval.

Table 9 shows the distribution between normal and urgency procedures using as a main variable the initiator of the legislation. Of 805 bills enacted between 1995 and 1997, 294 (36.52%) were scheduled by urgency procedures and 511 (63.34%) by normal procedures. Most of the bills that received the urgency time limit were initiated by the executive, 237 in 294 (80.61%) leaving just 57 (19.38%) bills for Congress and the judiciary. According to these findings, legislations initiated by legislators usually go through normal procedures.

Table 9: Bills Enacted According to Initiator and Rhythm of Legal Procedures

ORIGIN	NORMAL PROCEDURE		URGENCY PROCEDURE		TOTAL	
	Absolute Number	%	Absolute Number	%	Absolute Number	%
EXECUTIVE	411	80.43	237	80.61	648	80.49
LEGISLATIVE	92	18.00	49	16.66	141	17.51
JUDICIARY	08	1.56	08	2.72	16	1.98
TOTAL	511	63.34	294	36.52	805	100

However, the next table shows that of the 294 bills in which the urgency procedure was requested, the executive proposed 29.60%, while the legislators proposed 70.40%. Thus, although the executive initiates the majority of new legislation enacted according to urgency time limits, it seems that the legislators themselves invoke discharge petitions – choosing to forfeit the power of discussing and deciding new legislation through committee power. It is very interesting to note that those issue areas in which legislators have made use of this institutional device are specifically those areas in which the executive systematically concentrates its bills; i.e., in the economic area (46.37%) and the administrative (26.57%). The social issues come in third place with about 23.18%. As we already expected, when it is the executive who requests urgency, he does so almost exclusively in matters of economic and administrative areas – those numbers totalizing 89.65%. Thus, we can deduce that those two areas reach the top of both the presidential and congressional agendas when urgency is requested.

Table 10: Urgency Time Limits for Voting Bills According to Requester and Issue Areas (1995-1997)

	Economic	Administrative	Social	Political	Total
Executive	48	30	09	0	87
%	55.17	34.48	10.34	0	29.60
Legislative	96	55	48	8	207
%	46.37	26.57	23.18	3.86	70.40
Total	144	85	57	8	294
%	49.97	28.91	19.38	2.72	100

The approval rates on the floor of presidential legislation are solidly associated with the urgency petition. These rates are key when attempting to explain how the executive and party leaders centralize the congressional agenda as well as the decision making process. Although the legislators (207) have been requested more urgency procedures than the executive (87), it have done so on bills initiated by the executive.

As Table 11 demonstrates, the greatest preponderance of urgency procedures has been requested by the legislators in matters initiated by the executive, about 73%. By contrast, the legislative asked for urgency time limits on its own bills in just 23.67% of cases. In other words, when the legislative asks for priority in discharging a bill from the committee, it mostly does so according to executive interests. Therefore, it is safe to infer that the Congress, in order to schedule its legislative bills, has largely supported the president.

Table 11: Urgency Procedures asked by Legislative According to Who Initiates the Legislation (1995-1997)

Origin	Executive	Legislative	Judiciary	Total
Quantity	150	49	8	207
%	72.46	23.67	3.86	100

Further inferences can be drawn from this data: if the president's party or coalition has the majority of seats in the house, the executive can count on party leaders to schedule his agenda in accord with his particular priorities; as in discharging committees proposals in cases where time constraints demands on expected approval. The combination of provisional decree, vetoes, and urgency time limits allows the executive to control the Congress' agenda. He is thus empowered to block the legislation he does not like as well as to enforce his own legislative priorities.

Internal Organization of the Brazilian Congress

Although the constitutional provisions discussed in the previous section place the executive in a privileged position with regard to his relationship with the Brazilian Congress, another key factor – the centralization of the decision making process inside the congress – is decisive for understanding the preponderance of the president on the congressional agenda and on the legislation as a whole.

The internal rules of the Chamber of Deputies have guaranteed to party leaders at the *Mesa Diretora* (Directing Table) and *Colégio de Líderes* (Leader's Board) a decisive

role in terms of conducting the legislative process as well as in terms of weakening the committee system.

According to the internal House Rules, the process of composing permanent committees should take into account, as much as possible, the proportion of each party's representation inside the house (Art. 25, § 1). Thus, larger parties will have a larger number of members on every committee. Each legislator must belong to at most one committee as an effective member. There is no seniority rule for hierarchical posts of committees. Committee presidents, vice-presidents, secretaries, and reporters (reporters being those who compile the first version of the bill and report it to the floor, and who vary from one bill to the next) are not captive. Although officially those positions are chosen through secret ballot, with an absolute majority of votes from committee members every two years, in fact they are chosen by party leaders who also determine which party will occupy the committee's presidency.

Roughly speaking, it is the prerogative of party leaders to appoint, as well as to substitute, at any time, the committee members (Art. 10 of House Rules). There are no restrictions regarding how long a legislator can be a member of such a committee. And while, there may be some degree of self-selection, I have clear evidences as is shown bellow, which indicate the pervasive preponderance of party leaders in the process of appointing and substituting committee members.

There has been an extensive turnover in the number of legislators moving from one committee to another. Actually, committee members have frequently shifted between committees and legislatures; between years and within years. Evidence to this effect undermines the theoretical arguments of both the distributive and informational theories,

impacting our understanding of committee existence and functioning. I will present detailed data showing that the composition of the committees from the 1995 to the 1998 legislature was such that most committees had a median preference very favorable to the president's position. This suggests that the executive used his legislative powers to stack said committees in his favor.

The literature on committee composition contains a large array of tests. Each different theory has yielded different hypotheses concerning committee composition and these have been widely tested by the authors of the theories as well as by other researchers.²⁷ As follows, I adopt the methodology suggested by Groseclose (1994) in an attempt to compare the median committee preference to an approximate distribution for the committee median. Results were obtained through a Monte Carlo simulation that created 20 thousand randomly selected committees from the members of the House (Pereira and Mueller, 2000).

In order to have a measure of the preferences of the legislators, I had to create preference indexes given that in Brazil there is only one interest group rating available.²⁸ To do this, I utilized roll-call data pertaining to all the votes on all bills that went through the House from 1995 to 1998, taking into consideration whether or not a vote was favorable or opposed to the position taken by the executive.²⁹ The higher the index, the

²⁷ For a review and critical analysis of several tests of committee composition, see: Groseclose, T. (1994). "The committee outlier debate: a review and a reexamination of some of the evidence." *Public choice* 80: 3-4 and Groseclose, T. and D. King (1998). *Committee Theories and Committee Institutions*, Kennedy School of Government /Politics Research Group..

²⁸ The only interest group rating available is related to worker's rights and is published by DIAP (Inter-union Department for Parliamentary Assistance).

²⁹ It would be preferable to try to identify the main interests represented in each committee and then use only the votes related to specific bills that involved issues relevant to that topic in order to create committee-specific preference indexes. However, after interviewing the staff in various committees, we

more favorable a legislator had been toward the executive's position, so it is in fact a measure of loyalty to the government.³⁰ However, the preferences for specific issues tend to be highly correlated with this more general index, which justifies using it like a proxy.³¹

In order to implement the test of committee composition, I had to take into account the high rate of turnover in committees in the Brazilian Congress. Although there is generally a stable core within each committee, the total composition tends to vary as frequently as from one meeting to another. Thus, unlike the tests for committees in the US Congress, we could not assume that each committee had a static composition over the legislature.³² Therefore I determined the committee median preference for every single time a committee met over the 1995-1998 period. I then plotted those sequentially in the Graphs 4 to 16, located at the end of this Chapter.

On the graphs I also indicate the median floor preference and the preference level that separates the 10% highest and 10% lowest members, as well as the preference level that separates 10% of the legislators immediately above and 10% immediately below the median floor legislator. These levels are derived from the distributions generated in the Monte Carlo simulations and provide critical values against which to compare the actual

found that identifying both the relevant issues and the relevant votes for each committee required more information than could be obtained by this means, so I opted instead to use one general index.

³⁰ The index was created using the following formula; $\text{index} = \ln(r_i + 0,5)/(n_i - r_i + 0,5)$, where r_i is the number of favorable votes given by legislator i and n_i is the total number of bills on which legislator i voted. In addition each index was corrected for heteroskedasticity.

³¹ Comparing our index with the only interest group rating available in Brazil (the DIAP index used for the Labor and Civil Service Committee) shows that, at least for this issue, they are in fact highly correlated.

³² To our knowledge the only test of committee composition that uses data over time is Londregan, J. and J. M. Snyder (1994). "Comparing committee and floor preferences." *Legislative studies quarterly* 2: 233-266., and even this test only takes into consideration variations from one legislature to another.

committee medians to the floor preferences.³³ Committee medians above (in absolute value) the more extreme critical values indicate a higher level of preference outliers, while committee preferences closer to the floor median indicate more representative committees.

The first point to be noted from the graphs 4 to 16 is the high variability in the median of each committee over time. Some committees, such as the CFT (Finance and Taxation), are relatively stable throughout the entire legislature, however most committees are subject to sharp fluctuations. Clearly, the medians tend to change as a new congressional year starts in February of each year. In some cases the medians even fluctuate within the same year, and often from one meeting to the next. There are cases of wide swings – with the median passing from levels significantly above the floor median to levels significantly below, for example CAPR (Agriculture and Rural Policy).³⁴

In order to identify possible motivations factors for such vast turnover in the committees, I sent questionnaires to a large sampling of legislators from the House. The main purpose was to determine whether the high levels of turnover were caused by voluntary switching of committee membership by the legislators themselves, or whether they were effected by party leaders' invocation of their procedural powers so they could strategically stack particular committees according to the docket of bills under consideration and the legislative battles being fought.

The evidence raised through this survey indicates that both of these forces affected committees' composition. Although this evidence is not very accurate and can be

³³ The critical values vary according to the size of each committee.

interpreted differently to favor or reject particular theories, some legislators stated that they were generally able to get allocated to the committee of their choice; for example if they preferred one committee over others due to their expertise in a given issue.

However, several others responded that their path through various committees was negotiated or even imposed by the party leaders.

A good example in which the president employed his executive power through his party leaders in Congress occurred in the Labor and Public Administration Committee during the decision about the increase of the minimum wage to R\$180.00 (approximately US\$100.00) on 19 May 1999. According to the *Agência Estado*, one of the most prestigious Brazilian Press Agencies, “the government’s victory inside the committee was too tight and accomplished, blessing the government maneuver of replacing two Legislators, Wilson Braga (PFL) and Ricardo Noronha (PMDB), during the night preceding the vote.”

In order to determine if the legislators who entered the Labor Committee were more faithful to the executive’s positions than those who exited, a comparison was made between their loyalty indexes to the government. These indexes were found to vary, from 7.75 negative in legislators who cooperated less with the government, to 8.52 positive to in the most faithful legislators. As mentioned above, this loyalty index was created taking into account roll calls from 1995 to 1998.

In the minimum wage decision, of the legislators who left the Labor Committee, Wilson Braga had a loyalty index of 0.09 and Ricardo Noronha of 0.15. This means

³⁴ This suggests testing whether this variability is random or if it can be explained by the characteristics of the specific bills that were being considered at each point in time in the committees. Unfortunately, it was not possible to do that for this work.

respectively about 20% and 10% of legislators who cooperated less with the government's preferences. On the other hand, of the legislators who entered into the Labor Committee on the eve preceding the vote, Deputy João Ribeiro (PFL) had a loyalty index of 6.86 and Pinheiro Landim (PMDB) of 7.70, respectively about 40% and 20% of legislators who most cooperate with the executive. These results provide strong indication that the executive strategically acts, in accordance with his/her party leaders in Congress, replacing unfaithful members from committees and instead substituting legislators who will be more prone to guarantee the victories of his/her preferences.

Despite such findings, there is still no definitive way to interpret the graphs 4 to 16 in order to determine which theory is the most accurate. As noted by Groseclose (1994, 448) there is actually a continuum of tests depending on the critical values chosen. He asserts that, most often, "they neither uncontroversially support nor uncontroversially reject a conclusion of a general tendency for committees to be outliers." In the Brazilian case, reaching a conclusion is even more difficult given the dynamic nature of the committees' composition. What is clear from the graphs is that several committees have their medians near or above the upper 10% critical value for a large number of their meetings. The Labor and Public Administration Committee is an exception and is always below the lower 10% critical value.

At first look, this pattern would seem to indicate a high incidence of preference outlier committees. However, persistent turnover rates in the committees, together with the consideration that much of this turnover is not voluntary, is incompatible with the basic distributive theory as put forth by Weingast and Marshall (1988). If the legislators do not tend to stay in the same committee and can even be removed against their will,

then the committee, as a mean to reap the gains from trade in legislative voting, would not be very credible. It is more probable that the high incidence of committee medians - near or above the upper 10% critical value – is a consequence of the president's ability to influence both the votes of the legislators and the selection of the committee's composition.

The graphs also show that some committee medians are, occasionally, close to the floor median, providing some evidence of representative committees. These occurrences do not seem to follow any clear pattern so that the support for the informational theory of committee existence and composition is very weak.³⁵ Note that the existence of high turnover also works against the informational theory since the legislators have less opportunity to specialize.

Given the considerations in the previous paragraphs, we can state that the data presented in the graphs is inconclusive. While some committees are at times representative of the floor, they might also be preference outliers, and still other times, neither representative nor outliers. Furthermore, there is no obvious way to determine which situation is most consistently pervasive.

Another indication of the centralization of the decision-making process in the Brazilian congress is how the bills are distributed to committees. The president of the Directing Table has the right to establish which and how many committees will analyze a specific project and give an official report to these projects. However, when more than three permanent committees analyze a project, a Special Committee is automatically

³⁵ It is true that the informational theory as set forth in Krehbiel (1991, chap.3) does admit instances of outlying committees by taking into consideration the cost of specializing, however I do not have any indication of the extent to which this may be occurring here.

created to also give a position concerning that project. This, of course, has the potential to deflect power from the permanent committee, making it subject to circumvention on crucial issues. Special Committees are also created when the project concerns a Constitutional Amendment.

As Special Committees are temporarily created to deal with particular cases, a bill must be reported once it is subject to a time limit, thus reducing the margin of legislators' influence. Additionally, the house rules also establish that just half the members of the permanent committees analyzing such projects will make up the special committee. Nevertheless, the house rules are not encompassing: They do not determine who will preside over or who will report a Special Committee. Rather, the president of the *Mesa Diretora*, acting in accordance with party leaders, has the prerogative to appoint 50% Special Committee members, as well as their presidents and reporters.³⁶

Despite all the institutional elements responsible for centralizing the decision-making process inside Congress, it is important to recognize that the Brazilian constitution of 1988 also endowed the permanent committees with some decentralized power, termed Conclusive Power. With this device, a committee can approve a project directly in effect exempting it from having to be voted on the floor. Note that, while in theory, this rule is intended to allocate special powers to permanent committees, it is not often put into practice.

Of 805 bills enacted from 1985 to 1997, 207 (25.20%) were indicated by the house president to receive Conclusive Power by the respective committees. However, the

³⁶ As the congressional agenda in that period has consisted largely of proposals for constitutional amendment initiated by the executive, it is not a surprise that the president (and especially the reporter) of those committees were faithful to it.

committees have made effective use of this power in practically just 106 (13.16%) times. Even so, only 71 (8.81%) bills were really approved by committees without any kind of amendment or appeals by the floor.³⁷ And 35 (4.34%) were amended by the floor. One possible explanation as to why the committees have poorly used this decentralized Conclusive Power is the presence of urgency time limits requested even when the house president had previously recommended being conclusive. As the Table 12 makes evident, of 207, 96 bills were requested to be dealt with urgency.

Table 12: Bills Indicated to Be Enacted by Conclusive Power (1995-1997)

Indicated by the House President	207 (25.71%)	Conclusive Power	106 (51.20%)	Not Amended (Not Appeal)	71 (66.98%)
				Amended by the Floor (Appeal)	35 (33.01%)
		Urgency	96 (46.37%)	Amended by the Floor	59 (52.21%)
		Didn't use Conclusive Power	05 (2.41%)		

It is very interesting to note that committees have most often made use of Conclusive Power in those instances where the subject were initiated by legislators. Table 13 reveals that the bills initiated by Congress were responsible for 66.03% of those that received conclusive power. This table also displays that Conclusive Power is mainly used on social and administrative issues.

³⁷ According to the internal house rules, after a bill has been approved (or not) by conclusive power, the legislators have five legislative meetings to appeal to the house president. They need one tenth of members'

Table 13: Bills Enacted by Conclusive Power According to Initiator of the Legislation and Issue Areas (1995-1997)

	Economic	Administrative	Social	Political	Total
Executive	04	15	8	02	29
%	13.79	51.72	27.58	6.89	27.35
Legislative	10	24	33	03	70
%	14.28	34.28	47.14	4.28	66.03
Judiciary	00	07	00	00	7
%	00	100	00	00	6.60
Total	14	46	41	5	106
%	13.20	43.39	38.67	4.71	100

The institutional power held by the executive, on the one hand, and the centralized decision making system in the legislature, on the other, impose restrictive agendas and limit legislators' role in policy outcome (Figueiredo and Limongi, 1997). With all these institutional devices, it is no surprise to conclude that the executive has largely dominated the legislative process in Brazil.

At first sight it would appear that the Brazilian presidency is endowed with so much power that governing would be relatively easy. But this impression is misleading. Although the constitutional powers attributed to the presidency are impressive, this does not mean that Brazilian presidents are strong in all regards. In fact, despite the inherent centralization of the decision making process, presidents are still subject to the congressional body; i.e., presidents need congressional support to enact ordinary legislation through congress' institutional series of steps including Committees, the floor

signature to have the appeal accepted. After reaching this number of signature, the appeal needs to be

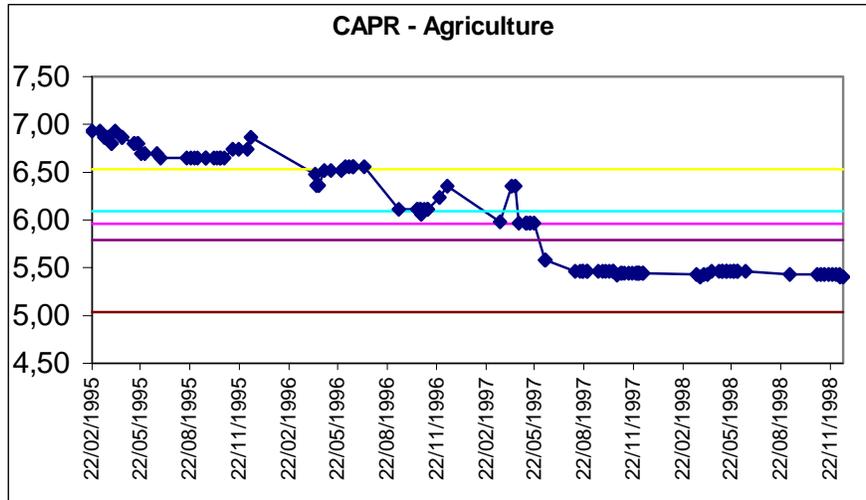
and so on. Remember that the Brazilian electoral system, discussed in the first part of this Chapter, by combining open-list proportional representation, high magnitude electoral districts, and candidate selection at the level of the state, provides enough incentives for legislator behave personally.

However, despite the presence of a decentralized electoral system and a fragmented party system, the optimal electoral strategy in Brazil has not been concentrated in the personal vote, but rather in its opposite, the party vote. At first glance, this assertion seems paradoxical, given the premise that legislators are subject to electoral incentives to behave individually. Indeed, Brazilian legislators vote according to their party leader's indication in order to accumulate greater benefits in the congressional arena and thus to strength their electoral power. Therefore, having no other alternative, legislators vote cohesively with their party. However, instead of continuing to analyze legislators' behavior using on the one side just electoral variables, or on the other internal rules, it is necessary to build a model, which at the same time takes into account a greater sampling of variables which can influence legislator's behavior. This will be better further articulated in Chapter V and in the Conclusion of the dissertation.

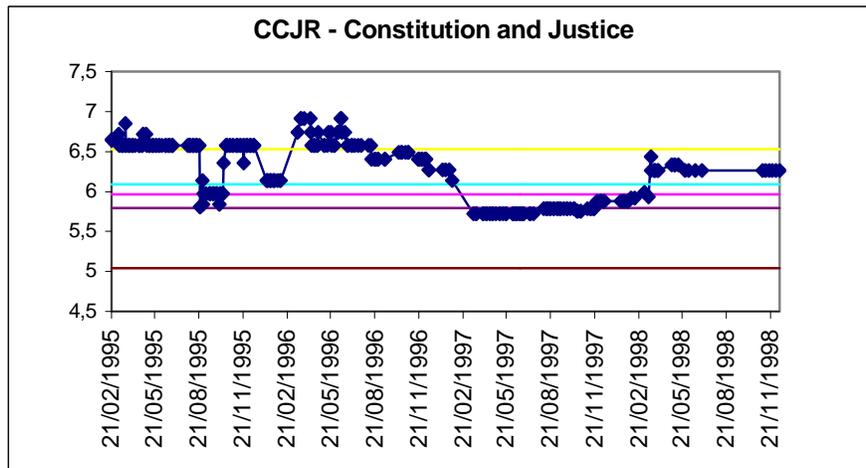
Graphs 4 to 16: Distribution of Committees' Composition in the Brazilian Chamber of Deputies

approved by the floor with a simple majority. Only then will it be subjected for receiving amendments.

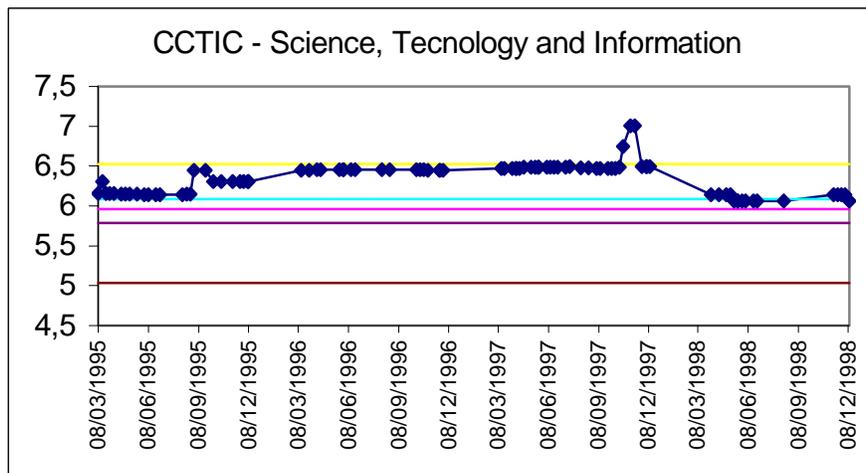
Graph 4



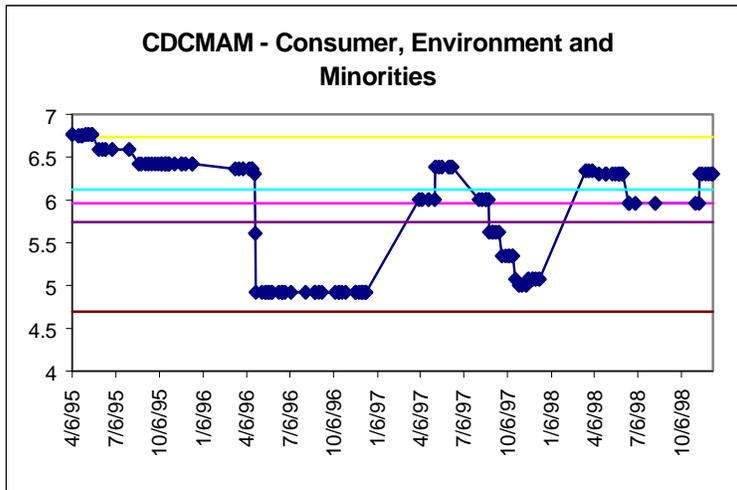
Graph 5



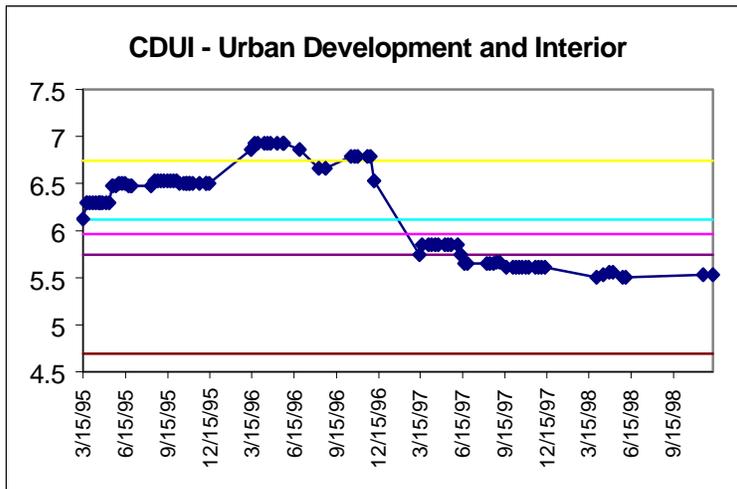
Graph 6



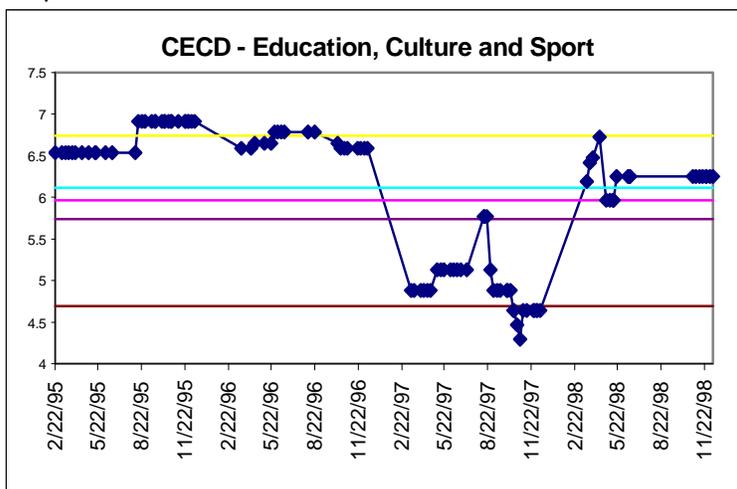
Graph 7



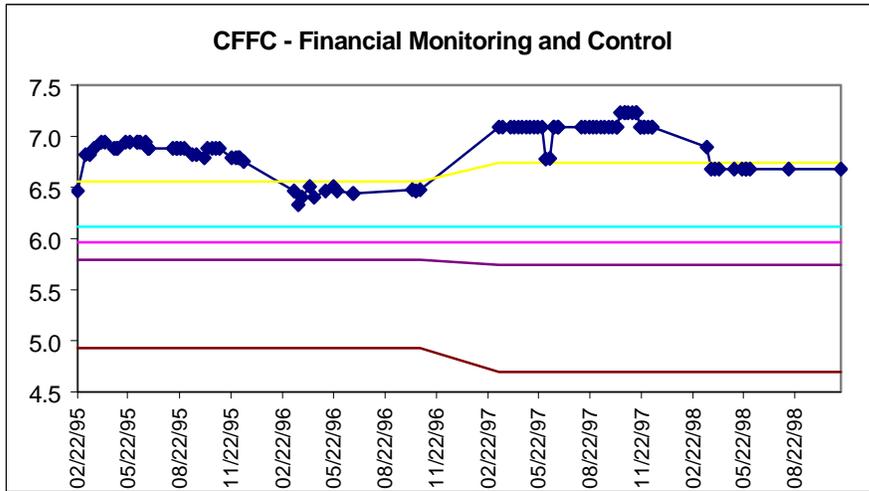
Graph 8



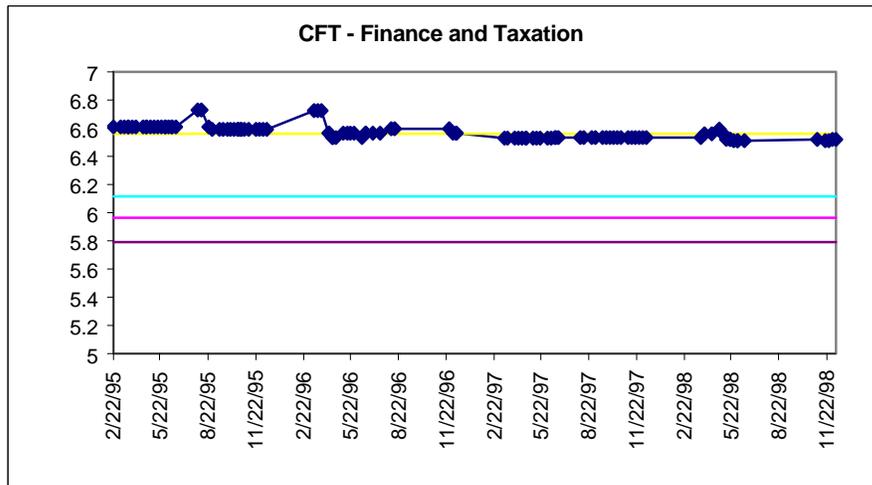
Graph 9



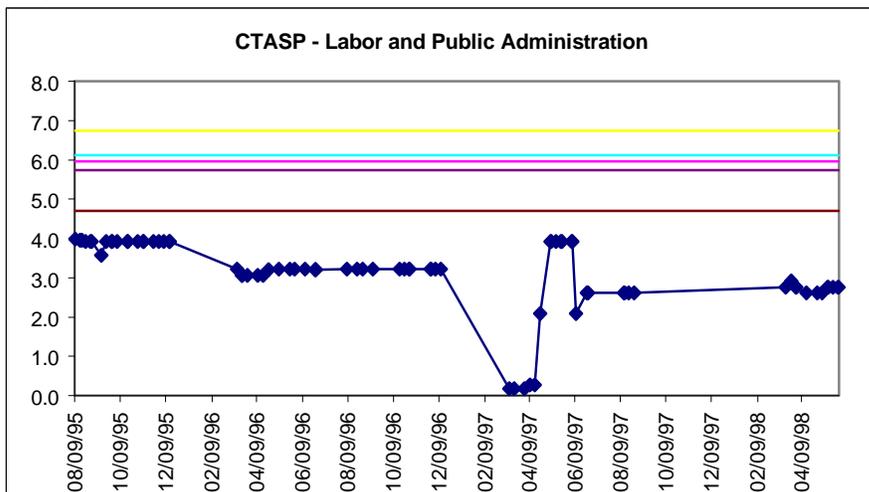
Graph10



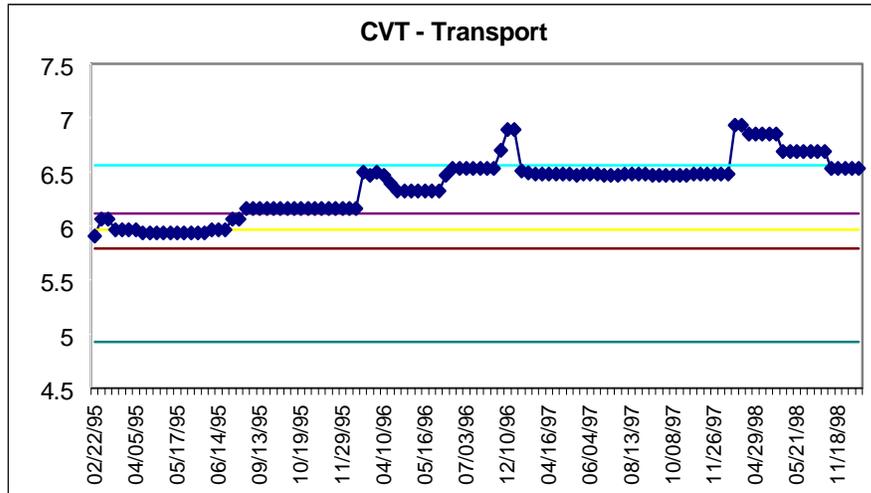
Graph 11



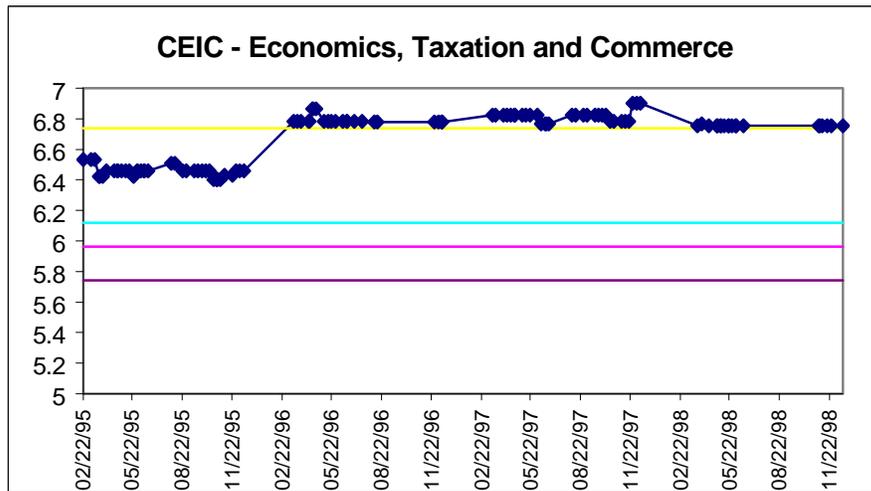
Graph 12



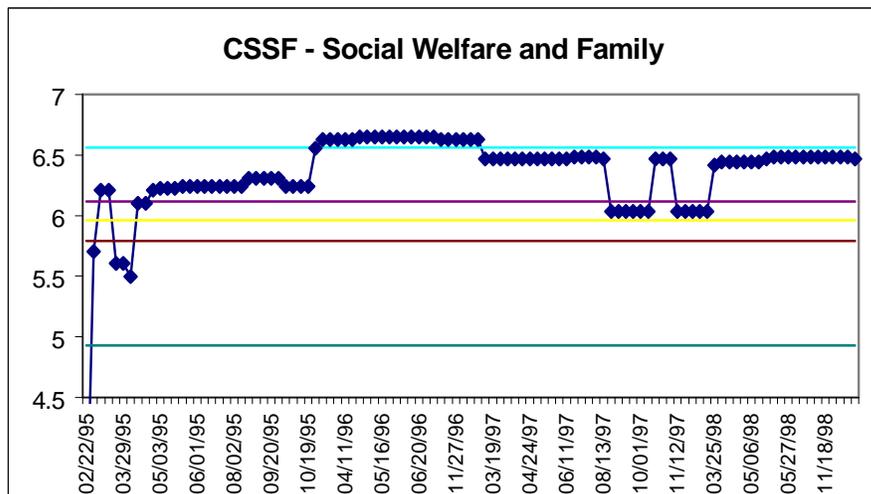
Graph 13



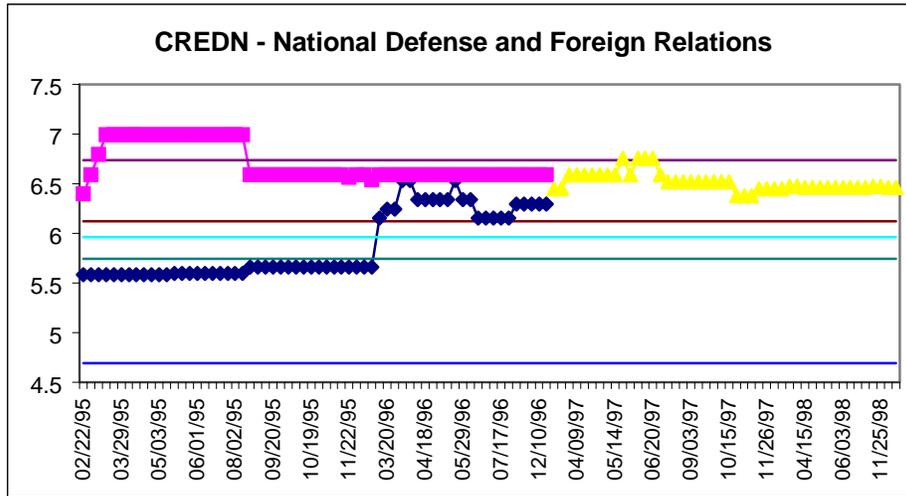
Graph 14



Graph 15



Graph 16



Note: In graphs 4 to 16 the middle horizontal line indicates the median preference of the floor. The line above the middle line represents the point that holds the 10% of legislators with preferences immediately above the floor median. The uppermost line indicates the point that divides the 10% most upperly outlying representatives. The two bottom lines can be interpreted symmetrically. The CREDN was merged from two committees in 1997. The CFFC experienced a reduction in members in 1997.

CHAPTER 4

THE ALTERNATIVE MODEL

I – Theoretical Framework of the Model

A majority of the literature concerning presidential-congressional relations emphasizes single and isolated variables to determine legislators' behavior in Congress. The general thesis of the model put forth here posits rather that congressional support for the president is a function of the combination of the following: (1) presidential variables, including presidential skills of bargaining with individual legislators and presidential popularity with the public; (2) congress variables which consists of legislators' partisan and ideological predispositions; and (3) institutional variables consisting of mechanisms of internal to the congress and electoral variables. These variables operate within constraints imposed by the internal institutional structure of the Congress (internal

variables) and the set of electoral rules that define how the citizens select the members of Congress.

Actually, it is the result of the combination of electoral and internal constraints that will define the relative prices of the legislator's voting behavior. Therefore, in Brazil, the combination of the two institutional variables – those of the electoral and internal rules – provides paradoxical incentives for personal and party votes at the same time. Briefly, if on the one hand, in terms of a legislator's selection, the deputy may have incentives to behave personally, but on the other, in terms of agenda-setting power, the deputy is motivated to act according to the party leader or, in the last instance, according to the president's interests.

In each case, the dynamic equilibrium point that can be reached will change from one issue to another and will chiefly depend on the capacity of the president and his party leaders to offer appropriate political and economic incentives to individual legislators in order that he/she might overcome personal costs accrued in voting for the president rather than in accord with his/her constituency.

Assumptions of the Model

First: Motivations of Members of Congress

It is assumed that legislators are utility maximizers. Their choices to cooperate or not with the president hinge on whether or not the outcome of a policy can benefit them. The benefits can be (1) political resources with his party and party leader; (2) political and economic benefits transferred from the executive during the bargaining with each individual legislator; (3) or maximization of their expected election return with their

constituency. It is also assumed that there is not necessary hierarchical position among those choice utilities. Indeed, the choices will depend on each legislator's calculations in each different issue and context.

For instance, if a legislator follows the party leader's indication, this can yield certain political benefits, such as, being assigned an important position on a committee; having less risk of loosing passage with some executive branches; being nominated for a Ministry or having the right to so indicate someone of his confidence to such position; and so on. He possibly can also obtain economic benefits include securing a public job for a family member; obtaining a special budget endowment that generates direct benefits to his constituency, getting a public permission (grant) to explore a radio or TV channel privately, and so forth. Otherwise, if the legislator's preferences coincide with his constituents' desires he will probably be more highly favored by his constituency groups (reelection).³⁸

In making his/her decision, therefore, the individual legislators are motivated by the rational calculation of (1) constituency interests - mass of votes, campaigning financiers, interest groups, governors, mayors, and so on; (2) party leader indication; (3) ideology predisposition; (4) the president's position and possible selective economical and political incentives (or transfers) that he may offer to the individual legislator to obtain his cooperation; and (5) the president's public approval ratings which may give him temporary strengths or weaknesses in the leadership process in a specific context.

³⁸ Although Figueiredo and Limongi's (1996) findings have shown that the Brazilian legislators do not have enough institutional incentives to continue to be legislators (to try to be reelected) pursuing other avenues of mobility, what really matters is that they seek to maximize benefits over a whole political career in other political spheres especially in executive branches such as Mayor, Minister, State Secretaries, and so on, not only as a legislator. Thus, instead of reelection the legislator's personal preferences can be better represented as some kind of *political survival*.

Second: Level of Legislator's Autonomy from his Constituency

It is also assumed that each personal legislator's utility preference is directly correlated to the level of constituency dependency. It is expected that legislators with a concentrated distribution of votes within their municipalities will be more constrained by their constituency's preferences than those whose votes are more widely distributed throughout their states. In other words, legislators with a widespread distribution of votes will be less constrained by the constituency and, as a result, will have a greater level of freedom to follow the president's position.³⁹

These variables directly impact the level of autonomy the individual legislator has *vis à vis* his/her constituency. According to Sullivan (1987), constituency forces play a decisive role in the decision-making, as members of Congress are vulnerable to their electorates. Obviously, these forces are less important whenever members are less dependent and secure in their constituency. Sullivan argues that constituency "trust acts as a buffer modifying the main effect of the constituency variables. In addition, trust makes it possible to respond more positively (or at least much more freely) to the institutions of power: party leader, the president, and so on." (290)

Therefore, it is important to take into account, for instance, if the legislator is a potential pre-candidate for the next election and to determine the level of a legislator's financial dependency on interest groups that will potentially contribute to the financing of the legislator's campaigning. It is expected, thus, that if the legislator is intending to run for the next election or if he is financially dependent on other groups, he will probably

³⁹ See Barry Ames (1995), for instance, points out that the Brazilian Legislators have four basic distribution of votes (Concentrated-dominated, concentrated-shared, scattered-shared, and scattered-dominated) and those distributions have direct consequences for legislator's behavior. He proposes two dimensions to

exhibit difficulties in dealing with presidential requests for support whenever they violate constituency preferences.

Finally, as a result of Brazilian federalism, it is largely conventionally defended that mayors and governors have been powerful actors who retain significant autonomy vis-à-vis the federal government and who possess significant resources and influences over the legislator's behavior in Congress. State loyalties drive politicians to coalesce in support of projects that will benefit their own state, regardless of their party or personal ideology, regardless of the cost-effectiveness of the project, and sometimes, even when this forces them into opposition with the national party indications and leadership. According to Mainwaring and Shugart (1997, 83), "state loyalties make it more difficult for presidents to pull together reliable coalitions; to retain political support of a state congressional delegation, presidents need to offer high-level positions and resources. (...) Powerful political figures with independent bases, Governors, and Mayors of major cities compete with the president for power and resources. Because of their influence over deputies and senators of their party or coalition, governors and majors can thwart or facilitate presidential designs."

Third: Legislator's Position on Institutional Structure of the Congress

This model assumes that legislators who take national leadership positions in their political party, government coalition, and/or in the institutional structure of the Congress (such as in the Directory Table, the Leaders Bureau, or as a committee leader), will be more constrained to follow the party leader's indication and, as a consequence, to follow

characterize the spatial performance at the state level. First, dominance at the municipal level; and, second, weighted by the percentage of the deputy's total vote in each municipality.

the president's position even if this position could threaten the constituency interests of those legislators. Thus, the higher the rank of the individual legislator in the institutional distribution of jobs inside the Congress, the higher the probability that the decision of this legislator will support the president's position.

Fourth: Legislative versus Executive Initiative

According to Figueiredo and Limongi (1996, 1997), after the Constitution of 1988, presidents in Brazil have had a high degree of success in the enactment of their legislative proposals. They show that "executive initiative accounts for about 85% of the total laws enacted from 1989 to 1994." They justify this executive preponderance by noting the extension of three prerogative powers: "expanding exclusive initiative, establishing urgency time limits for voting procedures according to presidential demands and giving the president provisional decree power."

Through these three prerogatives, the legislative rule establishes that the Congress works in a joint section. It means that the two Houses, the Senate and the Chamber of Deputies, will function together in an abbreviated time (30 days for Provisional Decrees and 45 days for urgency time). During the ordinary legislative process, each one of the Houses needs to deliberate in the first instance of the permanent committee followed by a plenary deliberation. With these new exclusive initiatives, however, the executive can not only abbreviate the time, but also has the right to discharge the bill from the permanent committee and to refer it directly to the floor decreasing the number of negotiation steps with the individual legislator. As a consequence of these institutional procedures, it is assumed that the level of freedom of individual legislators is reduced because these

constitutional rules grant the executive advantages in determining the timing and the content of legislation. Therefore, it is expected that when the legislation takes the form of an exclusive executive initiative, it is more likely that the legislator will act in accordance with the president's position.

Fifth: Government's Position

During the process of field research, some interviews were conducted with important executive and congressional representatives. Among those interviews, one was particularly interesting, with the Eduardo Graeff, Executive Assistant of the Ministry of Political Issues, who provided me with the government's position in all roll calls sampled in my model. According to Graeff, "the most important difficulty faced by the executive with Congress was not convincing individual legislators to vote with the president's preferences. The greatest problem was indeed to accomplish the needed quorum to reach the majority in order to approve the presidential agenda, especially on constitutional amendments bills that need the qualified majority of 3/5 of votes."

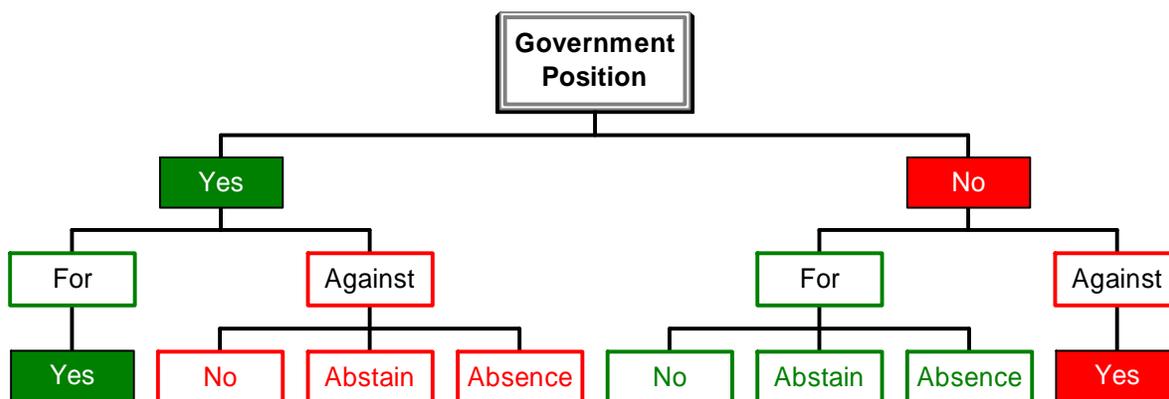
Implicit in this statement is that individual legislators behave strategically in choosing to absent themselves from the floor rather than showing up to vote against presidential initiatives, which could have costly repercussions, especially from the executive. Therefore, such behavior can not be interpreted as a simple absence or abstention. It is important to take into account the government's position in order to understand the real meaning of a legislator's behavior.

In other words, when the government position is "yes" on a given roll call, there is just one behavior for the president, that is "yes," and three behaviors against the

president’s position, “no,” “absence,” or “abstention.” However, when the president’s position is “no” on a given issue, exactly the opposite takes place. This means that to vote in favor of the president the individual legislator has three options, “no,” “abstention,” or “absence,” and, therefore, just one behavior against the president’s position, “yes.” (See Chart 2)

This assumption has important consequences for the model, especially in regard to the dependent variable, cooperate or not with the president. In that sense, instead of having four voting different behaviors, the individual legislator’s decision was reduced to two options: either vote for or against the president’s position, because it is directly connected with that of the government.

Chart 2: Distribution of Legislator’s Vote Options according to President’s Position



II – The Model and Hypotheses

Before describing each variable within the model, as well as identifying its correspondent hypothesis, it is important to clarify some procedures. First, I have

separated all the roll call votes considered in my sample (325 roll calls from 1995 to 1998) into two broad blocs. The first bloc, of 164 roll calls, consists of only votes regarding Proposals of Constitutional Amendment – PEC. In the second, I have ranked the remaining 161 votes. This distinction was made because on PEC votes, the qualified three-fifth majority (or 308 votes) is required in order to approve a change in the constitution. In all other cases, such as procedural, ordinary law, complementary law, and so on, only one-half plus one of the total membership or legislators present on the floor, is needed.

Next, in order to make comparisons between consensual and controversial votes, I have divided the roll calls according to the amount of agreement reached in each group of votes. Thus, we have groups of votes around 50, 60, 70-74, 75-79, 80, and 90% corresponding to each broad bloc of votes, as in “PEC” or “Other” votes. For instance, the votes around 50 or 60% are the most controversial while those around 80 and higher are the most consensual ones.

Given the assumptions stated above, the probability of legislators’ cooperation or defection can be represented by the following logit model:

$$\begin{aligned}
 V_i = & \beta_0 + \beta_1 P_1 + \beta_2 P_2 + \beta_3 P_{1.1} + \beta_4 P_{1.2} + \beta_5 P_{2.1} + \beta_6 P_{2.2} + \beta_7 P_3 + \\
 & \beta_8 C_{1.1} + \beta_9 C_{1.2} + \beta_{10} C_{1.3} + \beta_{11} C_2 + \\
 & \beta_{12} I_1 + \beta_{13} I_2 + \beta_{14} I_3 + \beta_{15} I_4 + \beta_{16} I_5 + \beta_{17} I_6 + \\
 & \beta_{18} E_1 + \beta_{19} E_{2.1} + \beta_{20} E_{2.2} + \beta_{21} E_{2.3} + \beta_{22} E_3 + \beta_{23} E_4 + \beta_{24} E_5 + \\
 & \beta_{25} E_{6.1} + \beta_{26} E_{6.2} + \beta_{27} E_{6.3} + \beta_{28} E_7 + \beta_{29} E_8 + \\
 & \beta_{30} E_{9.1} + \beta_{31} E_{9.2} + \beta_{32} E_{9.3} + \beta_{33} E_{10} + \beta_{34} E_{11} + \varepsilon
 \end{aligned}$$

As mentioned earlier, the legislator basically votes in one of the two way, either with the party when he follows the party leader's indication and thus cooperates with the president; or personal vote, when he acts in accordance with the constituency or private interests. The model's hypotheses are considered in terms of the probability of legislators' tendencies to cooperate with the president's position in Congress. Thus, positive means cooperation, and negative means not cooperation.

The value of 1 is assumed if the individual legislator $\{i = 1 \dots n\}$ decides to cooperate with the president, and 0 if otherwise. Thus, these patterns of legislator's votes can be represented as $V_i = \{0, 1\}$. The cooperation variable (individual legislator's voting behavior in the Chamber of Deputies) will then be regressed using a logistic specification. For a summary of independent variables and their respective predictions, see Table 14 at the end of this chapter.

Presidential Variables

The group of variables beginning with the capital letter "P" represents presidential variables where "P" equals possible gain for the individual legislator by following president's position. Indeed, P is understood to represent the set of monetary and/or political transfers disbursed in compensation to legislators who vote in accordance with president interests. P will be estimated in terms of the levels of proximity between legislator the party leader and between legislator the president. It is assumed that the closer the legislator is to his/her party and executive, the greater will be his/her constraint to follow the president's preferences.

Similarly, it is also assumed that the individual legislator who most executes his/her individual amendments on the annual budget will display a higher probability of voting with the president. This occurs because although legislators have the right to propose individual amendments to the annual budget, it is the executive, who has the right to decide which amendment will really be executed. Usually, those individual amendments on the annual budget represent the legislator's attempt to deliver pork barrel policies to their municipalities where they received the most votes in the previous election.

In other words, this variable tries to determine if and to what degree a correlation exists between a legislator's votes and a consequent increase of government execution of legislators' individual amendments on the annual budget. There are strong reasons to expect a positive correlation between government execution and legislator's cooperation with the executive.⁴⁰ The influx of federal funds to the state is affected by a large number of factors, but this model hypothesizes that the executive plays an important role in order to obtain compliance of his parliamentary support.

Another important indication of president's influence over legislator's behavior was the decision of Cardoso's government to centralize the distribution of executives assets through the creation of a special System of Legislative Performance, called SIAL. According to Eduardo Graeff, Executive Assistant of the Ministry of Political Issues, "at the beginning of the government, we had noted the absence of an institutional mechanism capable of controlling legislators' demands. It was not unusual to see several legislators,

⁴⁰ Once again, according to the President's General Secretary, Eduardo Jorge, the negotiation with legislators was as follows. "If the individual legislator presented favorable records for the president at the end of a such period, usually one year, this deputy had a greater advantage of seeing his/her individual

many of them unfaithful to the government, requesting benefits to different government agencies and Ministries oriented to assist their electoral constituencies. We decided, thus, to take upon ourselves the control of this situation centralizing all legislators' demands at the SIAL. This centralized system allows us to have a perfect picture of what legislators have requested as well as to what extent the executive have really answered their demands.”⁴¹ In other words, the SIAL works balancing pressures between legislators' demands and their voting behavior in Congress.

Therefore, P_1 represents those legislators who belong to the parliamentary base of a president's support. This indeed includes the government coalition in the Chamber of Deputies. Five parties form the government coalition, namely the PSDB (the president's party), the PFL, the PTB, the PMDB, and the PPB. The value of 0 is assumed if the legislator belongs to the president's coalition and 1 if he does. It is expected that those legislators who belong to the government coalition will present greater probability of voting according to president's interests. In other words, it is expected that the coefficient for the variable P_1 , β_1 should be positive in the model.

Besides considering the government coalition as a whole, it is also useful to estimate the behavior of the core government coalition, P_2 . This reflects the number of legislators who belong to the three parties that have been together since the electoral campaign in 1994 – PSDB, PFL, and PTB. Thus, the legislators around the president's core coalition receive the value of 1 and the other legislators 0, in the regression analysis. The core coalition should be more faithful to the president's position than the government

amendment executed by the Treasure Minister. Otherwise, legislators have little chance of seeing their amendments executed even if they have been approved by the Congress.”

⁴¹ Interview realized at Eduardo Graeff's office in Brasília on September 1997.

coalition once they had achieved agreement before the beginning of the government.

Therefore, the coefficient β_2 is predicted to be greater than zero.

Of 606 legislators who took part in the research sample, including effective and substitute deputies, 438 were from the five parties of the government coalition and 168 were from the opposition parties. However, in March of 1998, when I had finished my field research, the government coalition had increased to 471 deputies, 33 more than 1994. All together, 63 deputies had changed their party status within this period. While 48 deputies had entered into the government coalition, 15 had exited.

As the literature has emphatically defended the idea that turnover in political parties creates a huge problem in enforcing discipline on legislators, I have included four additional dummy variables in the model, which intend to capture the influence attributed to turnover rates on legislator's voting behavior. These are: Entercoalition ($P_{1.1}$), Exitcoalition ($P_{1.2}$), Entercore ($P_{2.1}$), and Exitecore ($P_{2.2}$). I expect that those deputies who have entered into the government's coalition (or into the core government's coalition) present a larger probability of voting for the president's interests than those who have exited. Therefore, it is expected that the coefficients β_3 and $\beta_5 > 0$ and β_4 and $\beta_6 < 0$, respectively.

The last presidential variable P_3 , represents the average, or mean, of how much the president had actually executed of legislator's individual amendments on the budget, from 1995 to 1998. As earlier mentioned, deputies may inscribe amendments on the annual budget was previously sent by the executive to Congress. Usually, those amendments are oriented to benefit municipalities where legislators received the most votes. However, it is the president who has the prerogative to execute them. The

hypothesis asserts that those legislators who vote more consistently with the executive will present a greater mean rate – or P_3 – of the execution of their amendments, while the inverse is true for those legislators who have presented lesser presidential support.

This hypothesis is upheld on the assumption that to cooperate with the President the legislator must obtain at least as much utility of his/her reservation utility. Hence, the legislator's individual rationality constraint, or "cooperation" constraint, is accordingly: $\beta_7 > 0$ (should be greater than zero), that is, the coefficient for the variable P_3 should be positive (+). Otherwise $\beta_7 < 0$, the legislator will prefer to vote according to his/her constituency preferences and only receive his reservation utility, in this case, an expectation to be reelected. The legislator's individual rationality constraint expresses the need for the president to design a mechanism, which offers the legislators at least as much, for their cooperation with president's interest as their best outside option, voting according to his/her private interests, or the personal vote.

Three other variables, at the first glance, could be very valuable in the process of measuring the direct influence of the president on legislators' behavior: presidential popularity, the number of public jobs appointed by politicians, and the distribution of ministries among political parties of the government coalition.

First, concerning presidential popularity, which is the largest studied variable in American executive-legislative relationship literature, it was not possible to make estimation for this model. During the period of my research, over the course of the first term of Fernando Henrique Cardoso's government, there was not enough variation in the presidential popularity. Otherwise put, the government presented a high level of popular

approval during the whole period of the first four years, and, thus, it was not useful to include this variable in the model.

Second, this was equally true with the distribution of Ministries among government parties: all parties held the same number of Ministries during the first term of Cardoso's government providing no variation to be tested.

Finally, although the process of appointing public jobs in the government's second and third ranks is largely known as one of the most important negotiating tools among political parties who support the executive in Congress, unfortunately data are almost categorically unavailable. This information has been treated by both the executive as well as by the legislators as a truly "black box." Furthermore, when such information does come into the public sphere it is usually fragmented, partial, and the media tends to consider with suspicion, or even immoral.

Although each party leader or individual member of Congress has information concerning his or her particular appointment to a specific public job, they do not have access to the entire set of political appointments in the public sector. Only the executive – more precisely, the President's General Secretary – maintains this data in a systematic fashion. Unfortunately, for my purposes, I was not allowed access to this data. Therefore, it is meaningful to recognize the significant limitation on the model.

Despite the lack of systematized data, there are enough evidences in the media that indicate the importance of appointing public jobs as a decisive instrument of bargaining between executive and legislators. In even a quick browsing through the largest Brazilian newspaper, *Folha de São Paulo*, it is possible to find a lot of examples.

This at least suggests a positive correlation between the appointment of public jobs by politicians and votes favorable to the executive on the floor of Chamber of Deputies.

A good example of bargaining was the vote shift of the Deputy Hermes Parcianello (PMDB) during the Social Security Reform. On 6 March 1996, the Deputy Parcianello voted against the Social Security bill, placing himself in opposition to the presidential and his party leader's preference. He then made a public declaration, calling himself a coalition dissident. However, during the second voting round – to approve a constitutional amendment, two victorious rounds are necessary in both houses – the Deputy Parcianello changed his position voting in accordance with president's indication. According to *Folha de São Paulo*, this vote shift allowed the Deputy to appoint the Regional Superintendent of the RFFSA, Federal Railroad, in the state of *Paraná*, the Deputy's electoral base of support. Asked for explaining his vote alteration, the Deputy Parcianello said to the newspaper: “one of the problems was the RFSSA Superintendence.” (*Folha de São Paulo*, 26 March 1996, p.1-6)

Actually, the possibility to assign public directors in legislator electoral regions is also a key for having access to public assets, which will in turn determine, for instance, central telephone stations will be installed as well as the strategic locations of public phones. Such capabilities can be very profitable during the electoral campaigning.

As another example, the Minister of Communications, Sérgio Motta, gave deputies rights regarding the distribution of Regional Directories in exchange for their votes in the matter of some Constitutional Amendments in particular, namely that which postulated the end of state monopoly controlling telecommunication and also petroleum. The PTB's party leader, Deputy Paulo Heslander, used to refer to Motta as “the

government air-bag” because the Minister Motta was able to absorb the legislator’s individual demands for appointing positions (*Folha de São Paulo*, 21 April 1998, p.1-11).

The newspapers offer plenty of such; however a last and curious example of bargaining can be found in the beginning of Cardoso’s first term. The PPB’s party leader, Deputy Raul Belém, left a meeting, which concern government composition, saying to the newspaper, “the President Cardoso said that we should indicate more than one name in order to give him options. Instead of Ministries, we decided for appointing second and third ranks public positions because we prefer twenty bikes rather than one Mercedes.” (*Folha de São Paulo*, 19 January 1995, p.1-7)

Congressional Variables

As for the second group of variables, congressional variables, this model intends to estimate how powerful political parties and ideologies are to explaining legislators’ behavior on the floor. Three dummy variables are used to represent whether legislators belong to each ideological group. Therefore, $C_{1.1}$, $C_{1.2}$ and $C_{1.3}$ represent, respectively, the distribution of ideological blocks of political parties on the left, center, and right of the spectrum inside Congress. It is inferred that, in the decision-making process, the ideological and programmatic references become a key answer to justify the legislator’s behavior since they frequently turn to their partners in seeking more cue-advice. Thus, the tendency to seek information from political partners who have similar political values explains the formation of ideological and partisan voting blocs.

As was said before, members of the president’s party in Congress are more likely to support his policy positions than are members of the opposition. Therefore, the model

measures if the partisan and ideological support is important to explain presidential success in Congress

The political and ideological classification of parties on the left, center, and right seems arbitrary and imprecise. It is especially odd in terms of Brazil, where the fragility and heterogeneity of the parties are broadly recognized. However, it is possible and helpful to label them as such since the pattern among them has been very consistent, uniform, and predictable.

The classification of right, center, and left, then, will be taken as a reference. For instance, as the current government coalition is largely known as a center-right coalition, it is hypothesized that those legislators who belong to government coalition (variables $C_{1,2}$ and $C_{1,3}$) should present ideological coefficients (β_9 and β_{10}) positive, and legislators who belong to the left ideological spectrum (variable $C_{1,1}$) should display ideological coefficients (β_8) negative.

Along with ideology groups, this model also considers how often each legislator has changed from one political party to another, where C_2 represents the number changes. This number varies from zero, for deputies who did not switch political parties, to five, for deputies who most change political parties.

The importance of including such variable in the model is that it helps to investigate the common view that it is very difficult for the president to rely on legislators who frequently change political parties. Following the literature's expectation, the model does concur that, as a rule, the president can count less on the deputy who changes political party affiliation. Therefore, the hypothesis defended is that the coefficient to the variable "number of changes of political party" (β_{11}) should be negative. In other words,

the greater the number of changes, the less incidences of support for the president's preferences.

Institutional Variables

The third group, Institutional variables, includes information regarding the hierarchical positions of legislators in the Chamber of Deputies, Permanent and Special Committees, leadership positions in political parties, and also leadership positions inside Congress.

The variable I_1 indicates whether or not legislators are considered a leader in the Chamber of Deputies. As decision-making is extremely centralized in the Brazilian Congress, it is expected that legislators who exert very strong leadership positions present a stronger probability of shaping legislators' preferences and behavior. The value of 0 will describe the legislator who is not a leader; 1 if he/she is an opposition leader; 2 if the legislator is considered a leader but not definitively associated either for or against the president's interests; and 3 if the legislator is considered a leader who supports the president's preferences emphatically. It is important to say that I was given access to this data directly from the executive who also is the author of this classification.⁴² Thus, this information has a government bias. However, it is nonetheless useful to test whether or not the behavior of those legislators considered by the executive to be a congress leader really shapes their voting performance.

⁴² I had access to this information during an interview with the Cardoso's Minister of Political Issues, Luiz Carlos Santos.

So, the hypothesis to be tested is the following: if the individual legislator exerts a leader position in Congress according to the executive classification, it should be expected that the coefficient value for this variable (β_{12}) would be positive.

As I had decided to incorporate this government's Congress leaders classification in the model, I also had access to another classification made by the DIAP, *Departamento Intersindical de Assessoria Parlamentar*, a no government organization, which gives parliamentary support and information to trade unions and left wing parties. The DIAP annually produces a ranking, which identifies one hundred legislators (*Cabeças do Congresso Nacional*, or Main Leaders), in terms of their behavior according to the interests of Brazilian trade unions. In this context, I_2 is a very ideological and biased variable. The value of 0 was assumed if the legislator was not classified by DIAP as a leader and 1 if it was. Thus, it is expected that those legislators who received higher classification will present a higher probability of voting against the president's initiatives, and its coefficient (β_{13}) should be negative.

I_3 shows if the individual legislator belongs to the *Mesa Diretora*, Directing Table of the Chamber of Deputies. It will assume the value of 1 if the individual legislator has been a member of the *Mesa Diretora* and 0 if he/she has not. Without fear of exaggerating one may say that this institutional sphere has been the most important one in the process of conducting and deciding the congressional agenda. Those legislators definitively have an agenda-setting power.

According to the Chamber House Rules, the Directing Table positions are fulfilled as per the political parties' proportional representation inside the house. As the government's coalition has the majority of seats, it is expected that those legislators who

occupy these positions have to be very faithful to executive interests since they will decide what and when issues will or will not be voted on. As a consequence, they present a higher probability of voting for president's preferences. Therefore, the coefficient β_{14} is likely to be positive.

I_4 designates the hierarchical position of the individual legislator inside the legislative permanent committee. It will assume the value of 1 if the legislator is a committee leader and 0 if he/she is not. According to internal House rules, the procedural of composition of permanent committees must also take into account the proportion of each party's representation inside the House (Art. 25, § 1). Thus, larger parties will have a higher number of members on each committee. Each legislator can participate in only one committee as an effective member and there is no seniority rule for hierarchical posts in the committees.

Committee presidents, vice-presidents, secretaries, and the reporters (who compile the first version of the bill) are not captive. Although officially such positions are chosen every two years by secret ballot through absolute majority among committee members, in actual practice it is the party leaders who choose them. It is the prerogative of party leaders to appoint as well as to substitute at any time a committee member (Article 10 of House Rules).

There are no restrictions regarding how long a legislator can be a member of a committee. There may be some measure of self-selection in committee appointments, but there is evidence of significant interference by party leaders in the process of appointing and substituting committee members. There has typically existed an extensive turnover of legislators from one committee to another. Legislators change committees frequently, not

only between years but also within years. Additionally, I have shown elsewhere evidences that the executive, through party leaders in Congress, stacks certain committees with loyal members.⁴³

I_5 signifies the hierarchical position of the individual legislator inside the legislative Special Committees. Special Committees are temporary committees created to deal with particular issues such as constitutional amendments, and when more than three permanent committees analyze a project. It will presuppose the value of 1 if the legislator is a committee leader, and 0 if he/she is not.

The house rules also establish that just half the members of permanent committees analyzing such projects will make up the Special Committee. Nevertheless, the house rules do not establish rules or criteria regarding who will preside over and report on a special committee. Therefore, it is the president of the *Mesa Diretora*, in accordance with party leaders, who has the prerogative of choosing the other fifty-percent of Special Committee members as well as their presidents and reporters. It is expected that legislators who occupy the main hierarchical position on Special Committees will present a higher probability of voting in accordance with the presidential position.

Pursuing the same argument defended previously, it is hypothesized that legislators who occupy positions of leadership on Permanent and Special committees will present a higher probability of voting for president, and therefore, the coefficients β_{14} and β_{15} , of the respective variables I_4 and I_5 , are expected to be greater than zero.

⁴³ Pereira, Carlos and Mueller, Bernardo (1999). "Testing Theories of Congressional Committee's Composition and Power: The Case of the Brazilian Congress." This paper was prepared to be presented at The 3rd Annual Conference of The International Society for the New Institutional Economic, Washington, DC, September 1999.

I_6 indicates the hierarchical position of the individual legislator inside his political party. It will also presuppose the value of 1 if the legislator is a party leader and 0 if he/she is not. Usually, the party leaders play an important role in shaping their fellow legislators' behavior. Besides indicating the party's position during the process of voting on the floor, the party leaders concentrate huge powers within their political machine: as they are responsible for selecting and substituting legislators to committees; they concentrate the powers of patronage over such things as career advancement, government jobs, and so on. They are, indeed, truly negotiators of the legislators' demands with the executive. Therefore, it is expected that especially those who belong to government coalition and/or take party leader positions have greater probability of voting with the executive.

Electoral Variables

The fourth and last group of variables is the electoral variables. In one way or another, these variables intend to estimate the influence of the Brazilian electoral connection on legislators' voting behavior. This set of variables can also be seen in the influence of interest groups on legislators' votes on the floor.

Accordingly, " E_1 " represents the percentage of votes (or electoral concentration) in the municipality (or district) within which each legislator got the most votes during the election of 1994, i.e., the level of electoral concentration of votes in the city where the Legislator got the most votes. This variable tries to measure the direct influence the electoral constituencies had on their legislators' subsequent pattern of voting inside Congress. It is commonly held that the greater the electoral concentration of a legislator, the closer he/she will be to the constituency. Therefore, he/she will have a greater

difficulty voting according to the president's interests, and a larger probability of voting in line with his/her constituency's preferences. The hypothesis, then, for the variable E_1 is that the greater the individual legislator's electoral concentration, the larger the probability that its coefficient β_{18} should be greater than zero.

Besides considering the percentage of the total number of votes that legislators received within the municipality where they were awarded the most votes, the model also includes the levels of electoral concentration and dispersion within the whole state. As I mentioned before, the Brazilian electoral district represents the whole state and varies in accordance with the size of the state – from 8, in less populated states, to 70 in the largest one. Therefore, E_2 corresponds to the spatial distribution of votes that the individual legislator got in his/her state. Three dummy variables: “high concentration,” “low concentration,” and “dispersed” have been created in order to estimate them.

When an individual legislator obtained more than 50% of the votes in a city where he received the most votes, it has been called a high concentration, $E_{2.1}$. However, when the legislator obtained more than 20% of the votes, but less than 50%, it is a low concentration, $E_{2.2}$. Finally, if the legislator obtained less than 20% of the votes in a city where he/she received the most votes it is dispersed, $E_{2.3}$.

Following the same rationale as discussed above, we can hypothesize that the coefficient β_{21} will be positive if the legislator has a wide distribution of votes, as the constituency constraints are supposed to be weak. The coefficients β_{19} and β_{20} are supposed to be negative if the distribution of votes indicates a respectively high or low concentration (bailiwicks) since legislators will be more likely to perceive themselves

more constrained by constituency preferences than legislators who have a more widespread distribution of votes.

Also considered in the model is whether or not the distribution of legislator votes is more concentrated in the capital of the state or whether he/she concentrates votes in the state's interior, as represented by the symbol E_3 . The media and literature largely defend the idea that the executive incumbent faces more difficulties counting legislator support from those who are "capital legislators." Such a supposition has been advocated based on the perception that voters from the capital have more access to information, and as a consequence can better control their representatives. E_3 represents a dummy variable with the value of 1 if the legislator is from the capital, and 0 otherwise. Therefore, a legislator who concentrates his/her votes in the capital should present coefficient β_{21} negative; otherwise positive.

E_4 represents the influence of running for reelection on individual legislator behavior. The value of 1 is assumed if the individual legislator decides to run for reelection and 0 if otherwise. In the US literature, this issue is largely studied and referred to as the so-called electoral connection. Scholars of the electoral connection posit a direct correlation between a legislator's voting performance and his/her choice to run for reelection. As the presidential agenda has been considered unpopular since its main concern is the fiscal crises, it is expected that being a pre-candidate for reelection diminishes the chances that a legislator will vote according to the president's preferences. Therefore, the coefficient β_{22} is expected to be negative if individual legislators run for reelection, and 0 otherwise.

Another important electoral variable to measure is the amount of money in Real (the current Brazilian currency) that each legislator spent during his/her electoral campaign in 1994 according to official information from the Electoral Court (E_5). As Brazilian electoral rules do not establish public funds for financing campaigns, it is the legislators' responsibility to raise funds and donations for their electoral races. These rules are also loose in terms of capping the total acceptable spending during electoral campaigns. The only requirement is a brief formal statement, not very accountable, that each legislator has to deliver to the Electoral Court at the end of the election period just giving the source and the amount of resources spent. Consequently, legislators have incentives to spend as much money as they can acquire during their electoral campaigns and to formally declare as little as possible.

Directly associated with the previous variable (electoral spending) is the level of financial dependence in the legislator's campaign from other contributors. Three dummy variables have been produced which denote them as follows: "High Dependent" ($E_{6.1}$) means that more than 50% of individual legislator electoral spending came from other contributor; "Low Dependent" ($E_{6.2}$) indicates that less than 50% but more than 20% came from other collaborators; And, finally, "Independent" ($E_{6.3}$) which means that the legislator bore almost all the electoral expenditure.

With regard to variables of the total spending, this model hypothesizes that the greater the electoral spending, the larger the probability of cooperative voting for the president. As a consequence, the coefficient β_{23} should be positive, while in the opposite case scenario, where the electoral spending is less, the coefficient should be negative. This hypothesis is sustained by the assumption that legislators located to the left of the

ideological spectrum traditionally spend less money in their electoral campaign than do legislators located at the center and to the right, especially because they have less access to campaign electoral brokers. Consequently, as those left wing legislators do not belong to presidential coalition, they are less seen to support executive preferences.

Concerning the level of financial dependence, it is expected that the greater the legislator's financial electoral independence, the larger the presidential support will be. In the same way, the greater the financial dependence upon others, the more constrained the individual legislator will be and thus motivated to vote according to the financier's preferences. So, while the coefficient β_{26} might be positive, the coefficients β_{24} and β_{25} might be negative.

As mentioned before, Brazilian legislators are allowed to amend the annual budget by means of individual or group legislative amendments. Usually they do this through pork barrel politics amending bills, which directly benefits those municipalities where legislators won the most votes. Such devices establish direct links between voters and representatives. I have included two electoral variables in order to estimate this kind of electoral connection: first, the number of amendments that each legislator presented to the district where he/she was most voted for (E_7); and second the percentage of those amendments effectively executed by the executive in those municipalities where deputies got most the votes (E_8).

It is important to clarify that the first variable, E_7 , does not necessarily intimate that the legislators have been successful in executing the bill but rather, that they are just claiming credit for presenting and approving bills on the annual budget which can benefit their constituencies, including Mayors, State Deputies, and local politicians. The first

variable – number of amendments – proposes to estimate how the legislators' behavior is influenced by the process of claiming credit for presenting budget amendments, but not necessarily result in the delivering money or policies. Consequently, it is expected that the larger the number of amendments proposed by legislators that were not necessarily executed by the executive, the less likely it will be that legislators will vote along with presidential preferences since they will see their demands not satisfied by the executive. So, the coefficient β_{27} is expected to be negative when the number of individual legislator's amendments overlooked by the president is large.

In contrast with E_7 , the second variable, E_8 , effectively estimates the capacity of a legislator to deliver policies that benefit their most important municipalities and constituents, where he/she was electorally rewarded. Here, the legislator does not just claim credit, but also establishes the connection by successfully getting his/her bill executed by the Finance Ministry. Therefore, just as one can expect more pork barrel politics when percentage rates of amendments execution rise, so too can one expect a greater probability that legislators will vote according to president's preferences (β_{28} must be positive). In such a case, the electoral connection through pork barrel politics completes its cycle since the legislator strategically presented amendments to benefit his/her constituency and those amendments were fully executed by the government.

In addition to this group of electoral variables, some interest groups which exerted strong influence on legislators' behavior of voting inside the Chamber of Deputies were also considered. Certain interest groups are so organized inside the Brazilian Congress that they have regular meetings, coordinators, reporters, and so on. They are aptly labeled as *Bancadas Suprapartidárias*, or over party group of legislators. This means that when

an issue that has been analyzed by Congress is directly related to any of these interest groups, legislators who belong to said groups behave mostly following the interest groups' position instead of the party's position.

Interest groups are usually organized around the defense of a specific theme or issue area. The most representative and detached legislative *bancadas* concern rural issues (E_{9.1}), ending with the telecommunication public monopoly (E_{9.2}), and defense of public workers interests (E_{9.3}).

The *bancada ruralista*, as it is known, is usually formed by legislators who are great landowners involved with productions of rural assets and the protection of conservative issues, or by legislators who are financially and politically supported by landowners. They frequently defend positions such as preserving their extensive rural properties against attempts of land reform or decreasing their loan interest rates.

The *bancada ruralista* is one of the oldest groups to act inside Brazilian Congress, dating since the beginning of democratization and becoming particularly strong during the 1988 process of Constitutional making. They were so nationally preeminent that in the following year they ran during the presidential election of 1989 with their own candidate. This campaign was a complete failure, however, and after such an electoral fiasco, it was expected that the rural *bancada* had finally arrived at the end of its days. Nevertheless, as soon as an issue involving interests of landowners appears at the Chamber's institutions, this group still persists in presenting a high rate of mobilization of their legislators.

The *bancada* that defends the end of public monopoly of telecommunication, on the other hand, was created at the beginning of Cardoso's government, in particular when

the privatization of the sector came to the top of presidential agenda. It consists of a broader, more diversified group of legislators, especially of those legislators and political parties who give political support to the president's agenda in Congress.

Unlike the two previous interest groups, the *bancada* of public workers clearly advocates in the interests of public servants. As a consequence, they have made emphatic opposition to the presidential agenda of state reform and to the president's attempts to cut their rights and benefits. As a rule, this *bancada* is organized around left parties and isolated legislators from center parties.

The hypothesis defended in this model is that legislators who belong to the presidential coalition customarily shape the two first interest groups and, as a consequence, are expected to vote more frequently with the president's position. Legislators who belong to the public workers interest group, nevertheless, are located on the left side of the ideological and party spectrum, and as a result have a larger probability of voting against president's preferences. The value of 1 is assumed if the individual legislator belongs to those interest groups, and 0 otherwise.

Finally, some way of measuring the influence of the Brazilian federalism on legislators' pattern of voting was also included in the model. Precisely, the model estimates the authority exerted by a state Governor, E_{10} , and a Mayor, E_{11} , on legislators' voting. This measure of authority will assume the value of 1 if the legislator is in the same political party as the Governor or Mayor, and 0 if otherwise.

As I developed earlier, strong federalism has many a direct consequences, such as determining whether or not a president achieves a safe majority in the Congress. In order to accomplish his preferred policies, is not enough for the president to build national

coalition based on a party's representation in Congress. The president also needs to consider the satisfaction of regional demands, especially those from governors.

Hence, if the individual legislator is in the same political party as the Governor or Mayor, and if those local politicians are affiliated with that of the president's party or of the coalition, it is expected that those legislators present a greater support for the president's initiatives. Therefore, their coefficients, β_{33} and β_{34} , should be positive.

Table 14: Summary of Independent variables and their Respective Predictions in the Model

	Variable	Description	Coefficient Prediction
Presidential Variables	Presidential Coalition	legislator who belongs to president's coalition	Positive
	Core Presidential Coalition	Legislator who belongs to presidential core's coalition	Positive
	Enter Presidential Coalition	legislator who has entered into the presidential coalition	Positive
	Exit Presidential Coalition	legislator who has exited into the presidential coalition	Negative
	Enter Core Coalition	legislator who has entered to presidential core's coalition	Positive
	Exit Core Coalition	legislator who has exited to presidential core's coalition	Negative
	Mean Budget	the mean of legislator's individual amendments executed from 1995 to 1998 on national annual budget	Positive
	Congressional Variables	Left	legislator who belongs to left-wing parties (opposition)
Center		legislator who belongs to center-wing parties	Positive
Right		legislator who belongs to right-wing parties	Positive
Number of Changes		Number of party changes of each legislator	Negative
Institutional Variables		Government's Main Leader (ML)	If the individual legislator is considered by the executive as Main Leader inside Congress
	Opposition's Main Leader (Heads of Congress)	If the individual legislator is considered by DIAP as Main Leader inside Congress	Negative
	Position in Congress (Directing Table) - Poscon	If the individual legislator takes part of the Directing Table of the Chamber of Deputies	Positive
	PositP1 – Permanent Committee	hierarchical position of the individual legislator inside permanent committee	Positive
	PositE1 – Special Committee	hierarchical position of the individual legislator inside special committee	Positive
	PartyPos – Political Party	hierarchical position of the individual legislator inside his political party	Positive
		Econc - Electoral Concentration	Percentage of votes in the municipality (district) within which each legislator got most votes during the election of 1994.
High Concentration		spatial distribution of votes that the individual legislator got in his/her state (50% of votes in the city where he received most votes)	Negative
Low Concentration		legislator obtained more than 20% but less than 50% of votes in the city where he got most votes	Negative

Electoral Variables	Disperse	the legislator obtained less than 20% of votes in the city where he/she received most votes	Positive
	Capital/Interior	concentration of legislator's votes in the capital of the state or in the state's interior	Negative
	Run Reelection	If the individual legislator is pre-candidate for reelection	Negative
	Spends	the amount of money that each legislator spent during his/her electoral campaign of 1994	Positive
	High Dependent	more than 50% of individual legislator electoral spends came from other contributor	Negative
	Low Dependent	less than 50% but more than 20% came from other collaborators	Negative
	Independent	the legislator bore almost all-electoral expenditure	Positive
	Namend - Number of Individual Amendments	number of amendments that each legislator presented to the district where he/she was most voted for	Negative
	Pork Barrel Politics	percentage of those amendments effectively executed by the executive in those municipalities where deputies got most votes	Positive
Interest-Group Variables	Rural	Legislators who belong to interest-group which defend advantages for rural business	Positive
	NoMotel	Legislators who belong to interest-group which defend the end of telecommunication public monopoly	Positive
	PublicSS	Legislators who defend public workers interests	Negative
	State Governor	legislator is in the same political party as the Governor and if those local politicians are affiliated in the same president's party	Positive
	Mayor	legislator is in the same political party as the Mayor and if those local politicians are affiliated in the same president's party	Positive

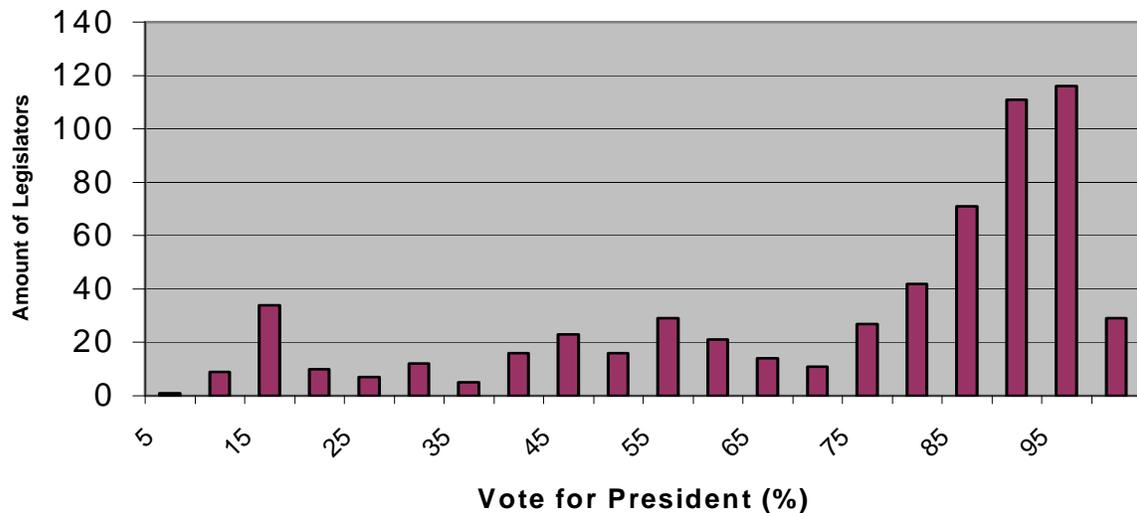
CHAPTER 5

DESCRIPTIVE TESTS

In light of the description and hypotheses of the variables pertaining to the model as it is set forth in this study, it is time to analyze the empirical tests. However, before the econometric test (next chapter), it is helpful to share some descriptive statistics in order for the reader to have a better understanding of the causal inferences of legislator's behavior during the econometric test itself. In addition, it will be possible to make useful comparisons between variables and also to determine if they present similar or different results in both the descriptive and econometric tests.

I – Descriptive Statistics

The following graph represents the distribution of all legislators' votes as per 335 roll calls taken from 1995 to 1998, as they correlated to the president's interests on the floor of the Brazilian Chamber of Deputies.

Graph 17: Histogram of the Legislators' Vote with the President

In this graph, it is possible to identify three main groups of legislators:

- 1) A first and smaller group of legislators who vote less frequently with the president's preferences, from 0 to 35% of the time. It will be called group "A."
- 2) A second intermediate group of legislators who vote with greater, although intermittent frequency, in accordance with the president, from 40 to 60% of the time, so labeled group "B."
- 3) Finally, the last and largest group of legislators who vote with the president from 65 to 95% of the time, so labeled group "C."

First of all, I have divided the entire legislator population (where the total number $N=606$, including effective and substitute deputies) into three groups following the distribution of frequency described above. Next, I have taken the mean and the standard deviation of each group of legislators with regard to all the explanatory groups of

variables that take part of the model (namely the presidential, congressional, institutional, and electoral). Subsequently, I have applied the test of hypothesis about the means of the populations of the two extreme groups of legislators, being “A” and “C” in order to determine if those means are, in fact, statistically significant. This test can answer to what level the means of the two extreme groups are statistically different (alternative hypothesis), and as a consequence, I can reject the null hypothesis that they are the same.

I have used the means test statistic “Z” for $X_1 - X_2$.

$$Z = (X_1 - X_2) - (\mu_1 - \mu_2) / \sigma_{x_1 - x_2}$$

The degrees of statistical confidence are: 2.72 = 1% ***

2.04 = 5% **

1.67 = 10% *

The descriptive analysis follows a quick investigation of each group variable. Along with this systematization, I was able to create five tables with all groups of variables: presidential, congressional, institutional, electoral, and interest groups.

Presidential Variables

As we can see in the first column of Table 15, legislators who are included in the group that voted less in favor of the president (as seen in row A) exhibit a mean of cooperation with the executive’s preferences measuring about 45.82%. The second and

third rows, B and C, represent legislators who cooperate with the president on the average of 83.5 and 93%, respectively.

The two means of almost all the presidential variables, which correspond to the two extreme groups of legislators (rolls A and C), are statistically different. Thus, the following independent variables (Coalit, Corecoalit, Entercoal, and MeanBudget) present their mean in a statistically significant way. So, these findings descriptively corroborate the hypotheses of the model since it has predicted a positive correlation among them. In other words, with these results, one can infer that those legislators who belong or entered the presidential coalition and who most executed their individual amendments, pertain to the group of legislators who vote most frequently in favor of the president's interests, shown in row "C."

It is important to note that the Exit coalition variable presented a negative sign of "Z," which indicates that those legislators who exit from the presidential coalition also vote less for the president, thus confirming the model's presumption. However, it was also the only variable whose degree of confidence of the difference between the two extreme means (rows A and C) was not statistically different. It also suggests, otherwise, that those legislators who left the presidential coalition did not present a consistent behavior pattern against presidential preferences since the difference of means between the group who votes least (A) and the group who votes most (C) does not differ significantly. Actually, Exit coalition column shows that they are almost the same. With this result, one can conclude that legislators who left the presidential coalition continue to behave for or against the president's preferences with almost the same mean of legislators who did not change their political status.

Table 15: Presidential Variables

		Vote for President	President Coalition	Core Coalition	Enter Coalition	Exit Coalition	Mean Budget
Mean	A	0,45821	0,45544	0,17821	0,03960	0,02970	30,8054
	B	0,83507	0,82673	0,29703	0,11386	0,01980	41,1499
	C	0,93002	0,88613	0,56930	0,08415	0,02475	44,2025
SD	A	0,16062	0,49924	0,38364	0,19551	0,17018	18,1719
	B	0,04209	0,37941	0,45808	0,31843	0,13966	18,3683
	C	0,02600	0,31843	0,49640	0,27831	0,15575	18,3965
Z		41,2104	10,3373	8,85978	1,86178	-0,3049	7,36358
		***	***	***	*		***

On the other hand, the majority of legislators who entered the presidential coalition belong to the group that votes intermittently for the president, as seen in row B. however, a great number of those legislators also performed following the expected behavior of someone who had changed their political status, being more faithful to the president's initiatives than they were before changing. Thus, the test of means between group A and C makes the model's hypothesis valid at 10%.

The main prediction from our model concerning the presidential variable is that the President rewards those legislators who most vote for his interests by executing their individual amendments on the annual budget and, at the same time, punishes those who vote less for his preferences, simply by not executing their individual amendments. This descriptive finding firmly corroborates the hypothesis of the model. As can be seen in the last column of Table 15, the difference between the two extreme means of rows A and C was statistically different with a degree of statistical confidence of 1%. This suggests that those whose amendments are most executed also most often vote for the president.

Congressional Variables

Table 16 shows that all congressional variables were statistically significant with the degree of confidence of 1%. It means that the two means of the two extreme groups of legislators (A and C) were statistically different in all congressional variables.

Regarding ideological predisposition, the test of means strongly ratifies the hypotheses of the model since it has predicted that those legislators located at the center and right wings in the ideological spectrum have greater probabilities of voting according to presidential preferences, one rationale being that the government's coalition is essentially shaped by center-right legislators. Table 16 clearly shows that the greater number of conservative and moderate legislators is located in groups "B" and "C." It also indicates that legislators in the left wing ideological spectrum belong to group "A," which votes less in favor of the president, thus confirming the model's hypotheses.

Table 16: Congressional Variables

		Left	Center	Right	Number of Party Changes
Mean	A	0,52	0,285	0,195	0,163366
	B	0,064356	0,425743	0,509901	0,445545
	C	0,039604	0,415842	0,544554	0,391089
SD	A	0,500854	0,452547	0,397195	0,454983
	B	0,245996	0,495684	0,501144	0,712018
	C	0,195511	0,494091	0,499248	0,662064
Z		-12,6989	2,775458	7,787294	4,02892
		***	***	***	***

It is interesting to note that legislators who most frequently switch political parties are spatially located in the second group "B," which includes those legislators who intermittently vote for president. Upon first look, this finding could imply that the president would face more disagreement from this group of legislators.

However, it is significant to register that the third group “C” is also statistically different and greater than the first one, “A,” which suggests that the government support comes from those legislators less involved with their parties, and consequently change their party label more frequently. In contrast, legislators who less often change his/her party label, vote less often for the president’s interests.

In descriptive terms, one of the most notable misleading notion not only from the model but from almost all the related literature which was researched is that less support can be expected for the president from legislators with a higher rate of party switching. In fact, as the last column of Table 16 reveals, to change affiliation with a political party does not necessarily have an impact on legislators’ behavior. That is, they continue to present the same pattern of voting inside Congress.

As mentioned before, deputies change political party within the same ideological spectrum. In other words, it is very unusual to see right-wing legislators migrating to left-wing parties, and vice-versa. Therefore, in contrast to what was predicted in literature, which affirms that party switching in Brazil weakens party discipline and presidential authority, at least in the descriptive domain, one can say that while party switching in Brazil may undermine the inherent structure of political parties, it does not directly interfere with the legislators’ voting behavior.

Institutional Variables

As for institutional variables, three of them were statistically different according to the test of means, as follows: to be a main leader inside the Congress, according to government classification; to occupy a hierarchical position at the Directing Table; and to

occupy a hierarchical position on Special Committees. These findings only confirm to an extent the hypothesis of this model, in part because it was also expected that the other two variables, top hierarchical positions inside political parties and Permanent Committees, would be significant. They were not, however, at least when the means of the two extreme groups were tested.

Concerning hierarchical positions inside the permanent committees, the model predicts a positive correlation between those positions and the individual legislator's votes for president. Although Figueiredo and Limongi (1996) support the idea that permanent committees in Brazil, with rare exceptions (in the Constitutions and Justice Committee, for instance),⁴⁴ offer little institutional and electoral incentives for legislators, I have tested elsewhere that the executive in Brazil may extract informational benefits from having a series of loyal committee members. The informational gain to the floor and to the executive increases when the permanent committee is representative of the executive's preferences – that is, when the distance between the preferences of the committee and the floor is not so prominent.

This hypothesis was tested using a probit analysis on whether a bill received an urgency petition or not. Clear evidence showed that the probability of urgency increased with the distance between the median committee's preference and the median floor preference.⁴⁵ This means that those committees with more preference outliers tended to be discharged more frequently either by the floor or by the executive. This is what the informational theory would predict. The committees that are more representative of the

⁴⁴ Although this Committee has presented a greater number of terminative powers in comparison to urgency procedures, it did not offer enough electoral incentives in this last election. Out of the 12 most active members of the Committee, only 2 legislators were reelected.

floor would have a greater effect in reducing uncertainty in equilibrium, therefore, these committees would be allowed to examine and report a bill by not receiving an urgency petition. Therefore, as is suggested by Pereira and Mueller (2000), the executive has a strong interest in having committees, who represent his preferences.

Table 17 shows, however, that the group of legislators who occupy top hierarchical positions on Permanent Committees is the group “B,” which votes intermittently in favor of the president. This finding raises doubts about the validity of the model’s hypothesis, which predicts a positive correlation between this variable (occupy top hierarchical positions on Permanent Committees) and the legislator’s proclivities to favor president’s preferences. In addition to that, the test of means between groups “A” and “C” was not statistically significant, suggesting that we can not reject the null hypothesis that they are the same.

Table 17: Institutional Variables

		Main Leader Government	Main Leader Opposition	Position in Congress	Permanent Committee	Especial Committee	Party Leader
Mean	A	0,123762	0,232673	0,024752	0,306931	0,108911	0,272277
	B	0,153465	0,089109	0,019802	0,356436	0,168317	0,158416
	C	0,306931	0,188119	0,069307	0,30198	0,242574	0,282178
SD	A	0,508172	0,423585	0,155756	0,462366	0,312301	0,446238
	B	0,607755	0,285609	0,139665	0,480136	0,375077	0,366038
	C	0,905951	0,391778	0,254606	0,460257	0,429705	0,451178
Z		2,506214	-1,09749	2,121614	-0,10785	3,576237	0,221753
		**		**		***	

Nevertheless, one can explain this result through an institutional argument. As was stated before, the House Rules establish that there be an institutional proportionality among all political parties with representation in Congress regarding their composition

⁴⁵ For information concerning this probit test see Pereira and Mueller 2000.

and hierarchical position. This mechanism guarantees proportional representation and hierarchical posts to political parties, including opposition positions inside Permanent Committees. Perhaps this explains why the difference between the “A” and “C” groups of legislators is not statistically significant in the test of means.

Contrary to Permanent Committees, Special Committees have no institutional device of maintaining proportionality in their compositions. The great majority of the Special Committees’ higher positions (President, Reporter, Vice-President, and so on) have been filled by legislators who belong to the president’s coalition, especially when the Special Committees are created to give a written report concerning a proposal of constitutional amendment. Constitutional amendments, of course, have been the main focus of the current executive’s agenda.

This statement can be attested by looking at the fifth column of Table 17. The test of means thus endorses the hypothesis of the model, which defends a positive correlation between hierarchy on Special Committees and legislators’ voting behavior favoring the president. In fact, as is shown in Table 17, the main leaders of Special Committees are those who consistently vote for the president’s preferences, group C.

The reason the test of means regarding the party leader variable was not statistically different is that in Brazil we have a lot of small parties opposing the current government. Therefore, having a majority of seats does not necessarily imply having a majority of party leaders in Congress. In fact, column six of Table 17 indicates that there are similar number of party leaders in both the groups that vote less and the group that votes most for the president.

As I said in the previous chapter, to hold a place on the Chamber Directing Table is the most important hierarchical position inside Congress. As the government's coalition has the majority of seats, it is expected that the legislators who occupy these positions be very faithful to executive interests since the legislators will decide what and when issues will or will not be voted on. As a consequence, these legislators present a higher probability of voting for presidential preferences. This expectation was confirmed by the test of means when it revealed that legislators with a high pattern of supporting the executive's preferences occupy the great majority of those places.

An interesting result to be carefully analyzed is the difference between being a main leader according to government standards versus that according to the opposition's standard. While the test of means was statistically different in regard to the former variable, it was not to the latter. According to the government's classification, to be a main leader, then it logically follows that the president could expect his appointees to vote according his own preferences. As the model illustrates, this premise was confirmed by the test of means. By contrast, the model predicted a negative correlation between being a main leader for the opposition and the tendency of this group to cooperate with the president. The test of means proves that this correlation is negative, but the difference of means was not large enough to be statistically significant. This has occurred because in addition to identifying opposing main leaders, the DIAP also recognizes the role achieved by government's leaders.

Electoral Variables

The first five variables of this group try to measure the direct influence of electoral constituency on the legislators' pattern of voting inside Congress regarding the legislators' spatial distribution of votes during the electoral race of 1994.

The main assumption behind these variables as follows: Legislators who concentrate the majority of the distribution of their votes in just one city (bailiwick) could hinder the ratification of presidential initiatives as such spatial concentration of votes foster individualism, to precipitate direct links between voters and representatives and, as a consequence, to obstruct party discipline. The principal cause for such a pattern lies in the Brazilian electoral system, which supports a unique set of rules, usually referred to as open-list proportional representation, which govern legislative elections. These rules offer incentives for legislators to behave personally, concentrating their electoral campaigns where they seek secure bailiwicks. The descriptive test of means confirms the correlation between a high concentration of votes and fewer votes for the president by showing that the difference between the two extreme groups "A" and "C" is statistically significant where Z is negative. Accordingly, the test of means supports the model's premise.

As we can also observe in Table 18, legislators with a higher concentration of votes (when an individual legislator obtained more than 50% of his/her total votes in the city where he/she received most votes) are located in the first row A. Legislators in this row vote less for the president. In addition, it also shows that legislators with larger dispersions of votes (when legislators obtained less than 20% of their total votes in the

city where they received most votes) are located in row C, where we can find legislators who most vote for the president (see fourth column of Table 18).

Curiously, the test of means of the variable “Low Concentrated” (when the legislator obtained more than 20% of votes but less than 50% in the city where he/she got the most votes) was not statistically significant. This result attests that the effect of the concentration/dispersion distribution of electoral votes on individual legislators voting behavior (this meaning to cooperate or not with president) only matters in extreme cases. That is, when the legislator highly concentrates his/her electoral votes, this is a resultant negative correlation, while when the legislator spreads his/her electoral votes throughout the whole state, there is a positive correlation. Hence, the test of means on both variables was statistically significant, thus supporting the model’s predictions.

The last variable that tries to measure the effect of the spatial distribution of electoral votes on legislator’s voting behavior in Congress hinges on the degree to which legislators concentrate their votes within the state’s capital or outside it. As was affirmed previously, the executive incumbent faces more difficulties of counting on legislator support from those who are “capital legislators.” Such a supposition has been advocated by the perception that voters from the capital of the state have more access to information and, as a consequence, can better control their representatives.

Table 18: Electoral Variables

		Electoral Concentr	High Concentr	Low Concentr	Disperse	Capital/ Interior	Run Reelection	Spends	Indepe ndent	Low Depend	High Depend	Number of Amendment	Pork Barrel
Mean	A	42,21	0,40	0,40	0,20	0,51	0,68	88666,69	0,11	0,28	0,60	3,64	0,20
	B	35,77	0,29	0,44	0,27	0,42	0,72	113009,48	0,15	0,15	0,70	3,26	0,40
	C	35,32	0,28	0,40	0,32	0,45	0,80	120290,79	0,12	0,20	0,68	2,66	0,35
SD	A	23,62	0,49	0,49	0,40	0,50	0,47	115752,03	0,32	0,45	0,49	4,60	0,28
	B	21,69	0,46	0,50	0,44	0,49	0,45	102571,28	0,35	0,36	0,46	3,64	0,37
	C	21,88	0,45	0,49	0,47	0,50	0,40	112235,42	0,32	0,40	0,47	3,75	0,38
Z		-3,04	-2,47	0,06	2,61	-1,21	2,75	2,79	0,12	-1,97	1,67	-2,35	4,60
		***	**		**		***	***		*	*	**	***

Table 19: Interest-Group Variables

		Rural	Nomotel	PublicSS	State Governor	Mayor
Mean	A	0,23	0,17	0,24	0,30	0,29
	B	0,39	0,41	0,11	0,49	0,38
	C	0,29	0,49	0,05	0,55	0,46
SD	A	0,42	0,38	0,43	0,46	0,45
	B	0,49	0,49	0,31	0,50	0,49
	C	0,46	0,50	0,23	0,50	0,50
Z		1,36	7,16	-5,38	5,12	3,50
			***	***	***	***

This variable, however, was not statistically significant according to the test of means despite the fact that the “Z” value presented a negative sign, suggesting that the model’s hypothesis could be true. This can be attested by looking at the fifth column of Table 18, which shows that the differential between rows A and C is not different enough to be significant. Yet, with this result, one can not say that there is no correlation between being a “capital legislator” and fewer votes favoring the president. What is possible to affirm with this finding is that we have an equivalent number of legislators who concentrate their electoral votes in the capital of the state as in the group that votes less (row A) and in the group that votes most (row C) for president.

Concerning the reelection variable, the test of means was statistically significant. However, the result of the test contradicts the model’s hypothesis. It is clear that the majority of legislators who run for reelection are in the second and third groups (rows B and C). That is, legislators who most voted for president also run for reelection in the opposite direction as attested by the literature. Likewise, legislators who vote less for president would also run less frequently for reelection. Actually, this finding does not corroborate the hypothesis of this model. It was presumed that the legislators who intended to run for reelection would be more compelled to follow the president’s preferences, especially on issues that incur high electoral costs for their constituency.

One can infer at least one important reason when attempting to elucidate such results when preferences of both president and voters are almost the same: In these cases, the cost of voting for president would not be so high – even on unpopular issues. Remember that during the entire first term, the Cardoso government presented stable and high levels of popular approval, especially in regards to Cardoso’s Plan of

monetary stabilization, which firmly reduced inflation. In situations when the president enjoys remarkable popular approval, as exhibited during Cardoso's leadership, the literature also predicts high levels of presidential support in Congress. Thus, It can further be postulated that being a candidate for reelection does not create too much trouble for a president who enjoys a high level of popular approval. As I said during the last chapter, it was not possible to test the level of popular approval simply because it did not present enough variation.

Although according to official information from the Electoral Court the amount of money that each individual legislator spent during his/her electoral campaign of 1994 is not so accountable, the model predicts that the more the electoral spends, the larger the probability of voting for president. This prediction was strongly confirmed by the test of means that reveals that legislators who spent more money in their electoral campaigns voted more frequently in line with presidential wishes.

Table 20: Distribution of Electoral Expenditure and Financial Dependence by Ideological Spectrum inside Chamber of Deputies

	Total Spends (Average in R\$)	Independent	Low Dependent	High Dependent
Left	51,310.68	14 (24.13%)	39 (40.20%)	43 (14.14%)
Center	126,319.90	20 (34.48%)	27 (27.83%)	129 (42.43%)
Right	119,083.21	24 (41.37%)	31 (31.95%)	132 (43.42%)
Total		58 (100%)	97 (100%)	304 (100%)

Of 459 legislators who officially declared their electoral expenditures and sources of financial contributions, 96 (20.91%) are located on the left wing of the ideological scale, 176 (38.34%) at the center, and 187 (40.74%) at the right. As we can observe in the first column of Table 20, left-wing legislators, on average, spend less money than center and right-wing legislators. They are, however, more

financially dependent. In fact, the great majority of legislators (66.23%) are highly financially dependent with regard to their electoral campaigns. Therefore, center and right-wing legislators spend more money, but they also are highly dependent on other financiers.

The test of means concerning the level of financial dependence of legislators' campaigns on other contributors provides mixed results. Keep in mind that the model expects larger presidential support from legislators with greater financial electoral independence. It can thus be postulated that greater financial dependence intimates less legislator support. Table 18 indicates that the descriptive test of means only moderately supports the model's hypothesis with 10% value in the "Low Dependent" variable. In addition, the "Z" value was negative, suggesting that the majority of those legislators are likely to vote against the president. The variable "Independent" (when legislator supports almost all electoral expenditure) shows that the differential in means of its extreme groups (A and C) was only negligible, and thus insignificant. Only in the intermittent group of presidential support (row B) do we see more independent deputies. Finally, the "High Dependent" variable contradicts the model as it shows that the group with less financial autonomy votes mostly for the president. This last result can be justified by noting the great number of center and right-wing legislators (85.85%), who also present a larger probability of supporting the president and are financially very dependent.

To recapitulate some concepts discussed earlier, the electoral connection is mainly estimated in the model through two variables. These variables aim to reflect the measure of constituency's influence on the behavior of its legislator. First, we have the number of amendments that each legislator presented to the district where he/she was most voted, but did not necessarily put into effect. Second, we establish

the percentage of those amendments effectively executed by the president in those municipalities where deputies received the most votes. While the model predicts a negative correlation for the former, it predicts a positive correlation for the latter. The test of means clearly confirmed both predictions.

In other words, legislators who presented individual amendments to the annual budget in order to benefit districts where he/she obtained a greater number of votes but, where said legislators did not successfully delivered such projects, will in turn manifest their frustration by voting less frequently for the president, who is indeed responsible choosing not to execute their projects.

The next to the last column of Table 18 shows that the difference of means between the group of legislators who vote the last frequently (row A) and who vote the most frequently (row C) for the president is statistically different. It also shows that the “Z” value is negative, attesting to the fact that just approving the amendments is not enough to draw legislator support. With this result, one can infer that a simple claim for credit does not satisfy the legislator and, presumably, his/her constituencies. Actually, claiming credit without delivering public resources in the form of pork barrel politics makes Mayors and local politicians very unhappy as they also directly depend on those polices for their future political careers.

Besides approving their amendments, legislators indeed need to execute them in order to support presidential preferences. This hypothesis, “effectively executing pork barrel politics,” was also strongly confirmed through the descriptive test of means at 1% of statistics confidence (see last column of Table 18). The difference between the means of extreme groups of legislators (rows A and C) is statistically significant, assuring us that there is a positive correlation between votes favoring the

president's preferences and the effective execution of legislators' pork barrel demands.

However, it is interesting to note that the group of legislators who received the most pork barrel perks was not the one that voted most in accordance with the president, but in fact the one that voted erratically for him (row B). At first glance, this finding looks odd since one might expect that the most faithful legislators (row C) would be plentifully rewarded in return for having favored the president's interests.

In order to understand this event it is important to keep in mind, however, that the executive does not safely count on the qualified three-fifth majority of vote to approve constitutional amendments. Sometimes the president does not even count on a simple majority (50% plus 1) without negotiating with legislators. In this process of bargaining the executive, as well as the legislators, of course, act strategically, maximizing their political and financial benefits.

Some legislators, for instance, who are spatially located in the intermittent group "B," would not strategically allow their positions to be known regarding some controversial roll calls, thus trying to inflate the value of their votes. On the other hand the president, by strategically anticipating possible faithful behavior from the legislators located in group C (who are traditionally most favorable to the executive), will not need to do anything in order to secure their votes since they already made their intention of supporting presidential initiatives clear. Therefore, contrary to what one might naively expect, the president's costs of counting on votes of "intermittent legislators" should be high when it is compared with those accrued when counting on faithful legislators (Groseclose and Snyder, 1996). In conclusion, votes that the government takes for granted are cheaper than those that the president needs but are

not trustworthy. During the econometric analysis in the second part of this Chapter, I further develop this argument.

Finally, let us do some descriptive analyses of interest-group variables generated by the test of means. As was referred to in the last Chapter, certain interest groups are so organized inside the Brazilian Congress that they have regular meetings, coordinators, reporters, and so on. They are amply labeled *Bancadas Suprapartidárias*. This means that when an issue that has been analyzed by Congress is directly related to any of these interest groups, legislators who belong to those groups mostly follow the interest groups' position, sometimes, even against party leader indication.

This premise, which was initially verified through the descriptive test of means, was confirmed in almost all the interest group variables, with the exception of the Rural group. In fact, the two extreme means of the rural variable were not sufficiently different to be statistically significant, as had been predicted in the model. Although this variable was not statistically significant in this test, the first column of Table 19 shows that the majority of legislators who defend rural interests are especially located in group "B," but also in group "C." However, it is interesting to note that a great number of Rural legislators are also located in group "A," the group that votes least for the president. This probably explains why the Rural variable was not statistically significant. Often, rural legislators threatened to vote against presidential preferences when he did not attend to their demands, such as decreasing interest rates of their public loans. As Table 19 reveals, some of their threats were credible.

The last two interest group variables try to measure the influence of State Governors and Mayors on legislators' voting behavior in Congress. The test of means

confirmed the hypotheses for both variables, attesting the difference of the two extreme means (A and C). In other words, legislators who belong to the same political party as a State Governor and Mayor and, at the same time, belong to the presidential coalition present a higher probability of voting for president.

CHAPTER 6

ECONOMETRIC ANALYSIS

I – Logistic Regression

As was mentioned in the Chapter four, I have applied some proceedings on data before moving on to the regression itself. First of all, I have separated all roll call votes that form my sample (325 roll calls from 1995 to 1998) into two broad blocs. The first bloc consists of the 164 roll calls cast in regard to all PEC votes. In the second, I have ranked the remaining 161 votes.

Second, in order to make comparisons between consensual and controversial votes, I have divided the roll calls according to the amount of agreement reached in each group of votes on the floor. Thus, we have groups of votes around 50, 60, 70-74, 75-79, 80, and 90% corresponding to each broad bloc of votes, as in “PEC” and or “Other” votes.

Third, after distinguishing between “PEC” and “Other” votes, as well as by the level of controversy, I also took into account the model of the government’s position for each roll call. In other words, I have also divided the groups of roll calls depending on the government’s yea or nay position in each case in order to estimate

the determinants of legislators' support or opposition in their voting behaviors. Accordingly, the cooperation or non-cooperation variable (dependent) was regressed using a logistic specification with the same groups of independent variables used during the descriptive test of means analyzed in the last chapter. These variables were presidential, congressional, institutional, and electoral.

Along with these procedures, I was able to test twenty-four groups of roll calls through econometric regressions: twelve on "PEC" and twelve "Other" votes.⁴⁶ Although I ran all variables that take part of the model simultaneously to measure the effectiveness of each variable on legislator's voting behavior, I have organized the outcome of the regressions in separate tables following the typology previously described in order to facilitate the understanding. Therefore, I have created eight tables in all: four for "PEC" and four for "Other" roll calls.

Finally, in the regression considering all variables of the model, some of them presented a very low level of significance. So, as a parameter, I decided to cut off variables that were not statistically significant at least three times on those twenty-four groups of regressions. For instance, Entercore and Exitcore variables were statistically significant just twice. Therefore, I took them out and ran the model again without those marginal variables.

⁴⁶ It is important to initially note that I have tested with different methods in order to detect the presence of multicollinearity and also to determine its severity. I followed the "Simple Correlation among Regressors" technique to measure the severity of multicollinearity among the variables. According to this technique, if the correlation coefficient between the values of two regressors is greater than 0.8 or 0.9, then multicollinearity is a serious problem. I did not find one unique correlation coefficient greater than 0.9. However, in order to take away all doubts, I also applied the "Variance Inflation Factor" test. Values of inflation factor greater than 1.0 imply that the variable in question is not orthogonal to the rest and hence multicollinearity is present in some degree. Some authors, as an indication of severe multicollinearity, use a value of 5.0 or more. Once again, no variable presented a value greater than 5.0.

Presidential Variables

The first point to be noted is that all the presidential variables attained high levels of statistical significance and confirmed the model's hypothesis – especially on PEC roll calls (See Tables 21 and 22 below).

Does belonging to the government's coalition matter on the individual legislator's voting behavior?

According to regressions, the answer to this question is yes. This affirmative answer is very strong both on PEC and "Other" votes, particularly, in those roll calls where the government's position is yes; in other words, when the executive really needs his/her parliamentary support base in Congress. Remember that it is the government's responsibility to provide a majority of votes when the government's position is yes. This is especially true on PEC roll calls which require a qualified three-fifth majority votes to approve a constitutional amendment. So, to be part of the government coalition does have an impact when those two previous conditions are present, since this variable was systematically significant both on PEC (six times) and Other (five times) roll calls despite the level of controversy.⁴⁷

⁴⁷ To be precise, the unique occasions when the government's position was 'yes,' and when this variable was not statistically significant, occurs on Other roll calls with too low a level of controversy, 90% (see Table 22).

**Table 21: Logistic Estimation of legislator's Voting Behavior on PEC Roll Calls
(Presidential Variables)**

Level of Controversy	Government Position	Number of Roll Calls		Constant	Government Coalition	Government Core Coalition	Enter Government Coalition	Exit Government Coalition	Mean Budget	% of Prediction
50%	Yes	2	Coeff	-4.454	2.080	.894	2.641	-1.176	.183	79,51
			p-value	.0000	.0000***	.0001***	.0000***	.0281**	.0050***	
50%	No	10	Coeff	-1.002	.609	.195	.680	-.280	.314	68,76
			p-value	.0146	.7370	.0309**	.0001***	.2153	.1894	
60%	Yes	17	Coeff	-2.118	.844	.339	.993	-.530	.440	67,7
			p-value	.0000	.0000***	.0000***	.0000***	.0017***	.0157**	
60%	No	12	Coeff	-2.509	.714	.718	1.254	-.477	.115	81,18
			p-value	.0000	.0001***	.0000***	.0000***	.0671*	.0000***	
70-74%	Yes	26	Coeff	-2.197	.931	.283	1.393	-.708	.892	77,42
			p-value	.0000	.0000***	.0000***	.0000***	.0000***	.0000***	
70-74%	No	27	Coeff	-1.959	.674	.229	1.122	-.546	.100	81
			p-value	.0000	.0000***	.0023***	.0000***	.0022***	.0000***	
75-79%	Yes	22	Coeff	-2.360	.973	.256	1.200	-.677	.302	77,81
			p-value	.0000	.0000***	.0002***	.0000***	.0000***	.0983*	
75-79%	No	7	Coeff	-.661	.945	.149	.905	-1.018	.963	83,4
			p-value	.2515	.0006***	.3577	.0010***	.0039***	.0140**	
80%	Yes	9	Coeff	-1.720	.788	.275	.914	-.773	.281	75,89
			p-value	.0000	.0000***	.0120**	.0000***	.0017***	.3132	
80%	No	14	Coeff	.110	.173	.217	.169	-.836	.617	90,7
			p-value	.9981	.5204	.1517	.4673	.0099***	.0795*	
90%	Yes	16	Coeff	1.142	.314	.640	.305	-.287	-.171	80,59
			p-value	.0014	.0479**	.4385	.0563*	.8919	.4341	
90%	No	4	Coeff	1.228	.359	.176	.768	-.875	.641	98,7
			p-value	.0000	.4868	.5606	.0839*	.1146	.3636	
Total	Yes	92			6	5	6	5	4	26
Total	No	74			3	3	5	4	4	19
Total		164			9	8	11	9	8	45

Level of Significance: 1%***, 5%** , 10%*

Table 22: Logistic Estimation of legislator's Voting Behavior on "Other" Roll Calls (Presidential Variables)

Level of Controversy	Government Position	Number of Roll Calls		Constant	Government Coalition	Government Core Coalition	Enter Government Coalition	Exit Government Coalition	Mean Budget	% of Prediction
50%	Yes	11	Coeff	-1.872	.297	.263	.802	-.143	.290	62
			p-value	.0000	.0643*	.0006***	.0000***	.4765	.1608	
50%	No	12	Coeff	-.218	-.178	.590	.435	-.165	.442	68,79
			p-value	.5751	.2817	.0000***	.0078***	.4525	.0459**	
60%	Yes	10	Coeff	-1.540	.562	.511	.783	-.367	.415	58,8
			p-value	.0002	.0013***	.0000***	.0000***	.0939*	.0666*	
60%	No	15	Coeff	-.199	.127	.327	.526	-.277	.923	73,28
			p-value	.9550	.4115	.0000***	.0005***	.1628	.6574	
70-74%	Yes	27	Coeff	-2.024	.892	.245	1.260	-.198	.362	67,88
			p-value	.0000	.0000***	.0000***	.0000***	.1553	.0152**	
70-74%	No	17	Coeff	-1.656	.232	.459	1.193	-.238	.990	84,49
			p-value	.0000	.2456	.0000***	.0000***	.3856	.0003***	
75-79%	Yes	26	Coeff	-1.587	.796	.747	.998	-.448	.400	66,07
			p-value	.0000	.0000***	.1655	.0000***	.0009***	.0055***	
75-79%	No	5	Coeff	-.553	.366	.385	.742	-.380	.801	87,44
			p-value	.9318	.3208	.0495**	.0533*	.3965	.1066	
80%	Yes	15	Coeff	.273	.607	.304	.787	-.274	.189	62,97
			p-value	.9936	.0000***	.9654	.0000***	.1251	.3160	
80%	No	3	Coeff	-.149	.130	.344	.454	-.941	-.113	72,84
			p-value	.8483	.7012	.0527*	.1685	.8505	.8091	
90%	Yes	19	Coeff	.941	.703	.152	.131	-.397	-.121	69,57
			p-value	.0021	.5854	.0192**	.3002	.0131**	.4899	
90%	No	1	Coeff	59.358	-27.36	.375	-27.157		.157	98,39
			p-value	10.000	10.000	.7004	10.000		.5991	
Total	Yes	108			5	4	5	3	3	20
Total	No	53			0	5	4	0	2	11
Total		161			5	9	9	3	5	31

Level of Significance: 1%***, 5%** , 10%*

On the other hand, when the government's position is "no," this variable loses its capacity to explain legislators' voting behavior because those who belong to the presidential coalition can simply not show up or even abstain from voting. This behavior, consequently, directly benefits presidential preferences. As follows, it is the opposition's responsibility to provide a sufficient number of votes in order to reject

the government's preferences. In this situation, this variable was statistically significant just three times on PEC votes and not once on Other votes. Yet, it still bears the model's hypothesis because it was statistically significant on controversial PEC roll calls, suggesting once again that on controversial issues the executive could count on his legislators' votes.

To be part of the core government coalition also strongly confirms the model's hypothesis. In other words, this variable was positively significant in almost all groups of roll calls. However, it was also expected that in comparison to the previous variable, legislators who belong to the core government coalition should vote more consistently in favor of the president since they were together since the electoral campaign. They truly did, but just on Other groups of roll calls and when the government's position was "no." That is exactly when the executive needs to rely less on legislators since, in this group of roll calls, it is only necessary to have a simple majority. It is also the opposition's responsibility to supply the quorum at this time. Thus, the government can liberate its less faithful legislators and can just expect the support of its core legislators. On further groups of roll calls, however, to be part of the coalition was more important to the president in terms of voting support than to be part of the core's coalition.

It is possible to interpret this result saying that it is likely to suppose that an electoral alliance can not be directly translated into support for the government. What in fact matters is how the government builds its governing coalition. Nevertheless, we should not overestimate this finding because when the president especially needed his core legislators he got frustrated just once, at 90% of the controversy level, which means almost never.

Concerning variables that try to estimate the effect of deciding to enter or to exit the government's coalition, they fully endorsed the model's predictions.⁴⁸ For instance, the forty-eight deputies who decided to become government legislators presented a high level of presidential support. Out of twelve groups of PEC roll calls, this variable was statistically significant in eleven and nine groups of other votes, assuring a positive correlation between "enter coalition" and in voting for the president.

At the same time, the fifteen deputies who decided to leave the government's coalition presented a solid pattern of not cooperating with presidential preferences, especially on PEC votes. This assertion can be validated by the regression result which reveals negative but still statistically significant coefficients suggesting a negative correlation between the "exit coalition" variable and the legislators' level of support for the president with favorable voting behavior. It is important to recognize that although the "exit coalition" variable presented negative coefficients in all groups of votes, it was statistically significant in just three groups of Other roll calls, when the government's position was yes. This means that when the president demands support from those legislators, he faces greater difficulties in counting on them as was also predicted in the model.

These findings suggest that during its first term, the current Brazilian government earned an even greater political consistency with regard to the individual legislator's voting behavior by attracting faithful legislators and expelling unfaithful ones. At least it is an indication that party change does not necessarily imply more difficulties for presidential governability as some authors advocate (Ames, 1999;

⁴⁸ As was mentioned before, variables "Enter Core Government's coalition" and "Exit Core Government's coalition" were withdrawn from the model because they presented only marginal statistical significance.

Samuels 1999; among others). In fact, it will mostly depend on the direction of change. This will be further developed when we discuss the “number of political party changes” in congressional variables.

Can execution of legislators’ budget amendments buy their cooperation?

The result of the regression persuasively ratifies the model’s hypothesis that presupposes a positive correlation between presidential execution of legislators’ individual amendments on the annual budget and voting for president on the floor of the Chamber of Deputies.

However, it is important to point out that this hypothesis was most consistent on PEC roll calls (eight times among twelve groups of votes), which means that the incentives provided by this variable on legislators’ behavior mainly works when the government needs a qualified majority to approve a constitutional amendment. Therefore, the direct presidential influence rewarding legislators who vote most for the president’s interests and punishing those who vote less for the president really occurs in the Brazilian Congress.

In some groups of “Other” roll calls, this hypothesis was also ratified, although less strongly than on PEC votes. This variable was statistically significant, especially on issues with high and intermediate levels of controversy and when the government’s position was “yes” (Table 22). Therefore, in order to cooperate with the president in controversial roll calls as well as on PEC votes, legislators must be recompensated – and something the president strategically carried out on target issues.

Congressional Variables

Do political parties work inside the Brazilian Chamber of Deputies?

Once again, congressional variables indicate the influence of political parties and ideologies on individual legislators' voting behavior. As was described in Chapter 4, those variables measure whether or not the partisan and ideological support is important to explain presidential success in the Congress. Tables 9 and 10 clearly reveal, with a high level of statistical significance, that to be part of the center and right⁴⁹ ideological spectrum really matters in terms of legislator behavior. The econometric test confirmed the model's hypotheses, which assert that right and center legislators vote consistently for the president, indicating that political parties work in an integrated way inside Congress.

However, when we compare the performance of these variables on PEC and Other roll calls, it is possible to attest the same tendency found earlier: variables are more consistently significant on PEC votes. For instance, while the center variable was statistically significant in all twelve groups of PEC votes, it was just statistically significant five times (two times with the president's position "yes" and three with "no") on Other votes.

⁴⁹ As Left, Center, and Right are dummy variables, I had to remove one of them (in this case, Left) in order to avoid multicollinearity. In fact when this procedure is made the variables that remain in the model are run in regard to the left out variable.

Table 23: Logistic Estimation of legislator’s Voting Behavior on “PEC” Roll Calls (Congressional Variables)

Controversy	Government Position	Number of Roll Calls		Center	Right	Number of Party changes	% Prediction
50%	Yes	2	Coeff	1.236	1.300	.109	79,51
			p-value	.0078***	.0046***	.4984	
	No	10	Coeff	.742	1.000	.737	68,76
			p-value	.0000***	.0000***	.2559	
60%	Yes	17	Coeff	.507	.447	.517	67,7
			p-value	.0001***	.0006***	.2769	
	No	12	Coeff	1.007	.788	.113	81,18
			p-value	.0000***	.0000***	.1390	
70-74%	Yes	26	Coeff	1.197	1.201	.636	77,42
			p-value	.0000***	.0000***	.1537	
	No	27	Coeff	.754	.748	.149	81
			p-value	.0000***	.0000***	.0084***	
75-79%	Yes	22	Coeff	1.344	1.276	.1845	77,81
			p-value	.0000***	.0000***	.0003***	
	No	7	Coeff	.555	.847	.199	83,4
			p-value	.0426**	.0022***	.1126	
80%	Yes	9	Coeff	.614	.572	.352	75,89
			p-value	.0015***	.0027***	.9627	
	No	14	Coeff	1.020	1.335	.184	90,7
			p-value	.0001***	.0000***	.0974*	
90%	Yes	16	Coeff	-.299	-.219	-.287	80,59
			p-value	.0583*	.1631	.6117	
	No	4	Coeff	1.046	1.262	-.143	98,7
			p-value	.0373**	.0129**	.4278	
Total	Yes	92		6	5	1	12
Total	No	74		6	6	2	14
Total		164		12	11	3	26

Level of Significance: 1%***, 5%** , 10%*

Table 24: Logistic Estimation of legislator's Voting Behavior on "Other" Roll Calls (Congressional Variables)

Controversy	Government Position	Number of Roll Calls		Center	Right	Number of Party Changes	% Prediction
50%	Yes	11	Coeff	-.349	.378	-.556	62
			p-value	.9982	.0148**	.9175	
	No	12	Coeff	.414	.492	.122	68,79
			p-value	.0126**	.0029***	.0441**	
60%	Yes	10	Coeff	.365	-.273	.416	58,8
			p-value	.8304	.1068	.9432	
	No	15	Coeff	.449	.373	.277	73,28
			p-value	.0038***	.0151**	.6215	
70-74%	Yes	27	Coeff	.829	.784	-.377	67,88
			p-value	.0000***	.0000***	.3196	
	No	17	Coeff	1.814	1.731	.868	84,49
			p-value	.0000***	.0000***	.9907	
75-79%	Yes	26	Coeff	.407	.422	-.629	66,07
			p-value	.0001***	.0001***	.0920*	
	No	5	Coeff	-.341	.153	-.387	87,44
			p-value	.9927	.6841	.9779	
80%	Yes	15	Coeff	.154	.135	-.144	62,97
			p-value	.2641	.3260	.0026***	
	No	3	Coeff	.909	.510	.879	72,84
			p-value	.0075***	.1235	.4902	
90%	Yes	19	Coeff	-.453	-.135	-.147	69,57
			p-value	.7224	.2819	.0007***	
	No	1	Coeff	-28.796	-28.459	-.756	98,39
			p-value	10.000	10.000	.0936	
Total	Yes	108		2	3	3	8
Total	No	53		3	3	1	7
Total		161		5	6	4	15

Level of Significance: 1%***, 5%** , 10%*

The difference in statistical consistency of these variables between PEC and Other roll calls can be interpreted as a kind of priority decision of the executive and his/her party leaders. In other words, as the top of the presidential agenda has been full of constitutional reforms (PECs), it is expected that the president and his party leaders in Congress will apply as much pressure on individual legislator's voting behavior in direct relation to the increase in importance of subject being voted on.

Thus, as the executive cares more about constitutional reforms when compared with regular legislation, the result of the econometric test is no surprise. It is also important to remember that on PEC votes a qualified majority is needed, a difficult task even for a powerful executive like the Brazilian president. With this argument I am not saying that party and ideology do not matter on Other roll calls. I am just suggesting that these variables better explain the legislators' behavior on PEC votes.

This finding raises strong doubts regarding the common wisdom concerning the fragility of Brazilian political parties. It also throws into question the literature's expectation that parties did not behave following an ideological and party fashion. The econometric test strongly supports Figueiredo and Limongi's point of view that emphasizes the power exerted by political parties, through the vehicle of their leaders, as truly legislative actors. Still, we should be careful with this assertion because until now this econometric test has only estimated the party behavior inside Congress in terms of presidential cooperation or the lack there-of.

Although these two authors recognize that the Brazilian electoral system provides weak incentives for strong parties, they argue that the legislature's internal rules, which centralize the decision-making process, together with huge presidential powers of legislating, allow party leaders to have the control of the Congress' agenda and, as a consequence, to limit the scope for individual legislators' personal behavior. Thus, for them, the weakness of the electoral arena is compensated by centralization of the decision-making process inside Congress.

What the descriptive test of means and the econometric test also suggest is that, besides the centralization of the decision-making and the presidential power of legislating, there may exist other reasons which could justify the consistency of

legislators' voting behavior following their party leaders in a predictable, coherent and ideological fashion.

In fact, as will be more closely discussed later in this Chapter, what this dissertation strongly defends is that the individual legislator votes according to his/her party leader indication in order to have access to the political and financial benefits controlled by the executive. In accumulating these benefits, the legislator can make use of them in the electoral arena to maximize his/her chances and strategies of political survival. Among these strategies, reelection is one of the most important. In my point of view, this is exactly how the Brazilian electoral connection works (Mayhew, 1975).

Do party switches create troubles for the president?

According to the result of the econometric test (see tables 9 and 10), there is no clear way to interpret this. The first point to be noted from the tables is that this is a poor variable in terms of its capacity to explain legislator behavior. In fact, party switching was only statistically significant three times on PEC votes, and four times on Other votes. Actually, the test provides mixed interpretations. If, on the one hand, switching political parties shows a positive correlation on PEC votes, it also shows a negative correlation on Other votes. Briefly, on PEC votes it is expected, according to the econometric result, that the greater the number of party changes, the larger the probability of legislator cooperation with the president. On Other votes, however, the greater the number of party changes, the larger the probability of non-cooperation.

It is therefore possible to infer that party change does not create trouble for the president on proposals of constitutional amendments, but it does on regular legislation. Nonetheless, it is important to be cautious with this assertion. Aside from

being a poor variable in regards to both groups of votes, when the result of the variable “number of party change” significantly predicts a negative correlation it does so on consensual roll calls. So, it is not a big problem for the executive since on these consensual votes the president can count on other party fashion legislators, including the opposition.

For this reason we can assume that the frequent exchange of party labels, mainly by conservative legislators, has not undermined the presidential capacity of counting on his legislative support in Congress, as has been advocated by some authors. In accordance with the descriptive test of means discussed earlier, to change political parties does not matter in terms of legislator behavior. Indeed, legislators continue to present the same pattern of voting inside Congress. We can also assume, supporting Figueredo and Limongis’s argument, that the turnover of the members of right-wing parties and the continual changes of labels do not directly affect the deputies’ behavior in plenary.

Institutional Variables

Does Assuming a Leadership Position in Congress Matter?

Although the descriptive test of means found that being a government leader matters in relation to legislator cooperation with the president but does not matter in the case of being an opposing leader, the logistic regression confirmed both hypotheses (see Table 25 and 26).

Table 25: Logistic Estimation of Legislator’s Voting Behavior on “PEC” Roll Calls (Institutional Variables)

Level of Controversy	Government Position	Number of Roll Calls		Government Main Leader	Opposition Main Leader	Hierarchy in Directing Table	Hierarchy in Political Party	% Prediction
50%	Yes	2	Coeff	.482	.189	.484	.391	79,51
			p-value	.0042***	.5013	.3135	.0820*	
	No	10	Coeff	.107	-.773	.318	.152	68,76
			p-value	.0572*	.4502	.8509	.0622*	
60%	Yes	17	Coeff	.145	-.294	.547	.209	67,7
			p-value	.0006***	.7068	.0001***	.0009***	
	No	12	Coeff	.189	-.441	.624	.293	81,18
			p-value	.0049***	.0000***	.0046***	.0015***	
70-74%	Yes	26	Coeff	.253	-.273	.420	.247	77,42
			p-value	.0000***	.0001***	.0009***	.0000***	
	No	27	Coeff	.220	-.386	1.066	.100	81
			p-value	.0000***	.0000***	.0000***	.1031	
75-79%	Yes	22	Coeff	.148	-.331	.339	.256	77,81
			p-value	.0006***	.6704	.0111**	.0000***	
	No	7	Coeff	.132	-.488	.717	.147	83,4
			p-value	.1760	.0010***	.0393**	.2494	
80%	Yes	9	Coeff	.105	.721	.763	.136	75,89
			p-value	.1287	.5409	.0013***	.1495	
	No	14	Coeff	.546	-.354	.695	.141	90,7
			p-value	.5083	.0060***	.0256**	.2072	
90%	Yes	16	Coeff	-.205	.123	.247	.204	80,59
			p-value	.6765	.1967	.1288	.0072***	
	No	4	Coeff	-.910	-.184	.722	.208	98,7
			p-value	.5603	.4916	.2385	.3558	
Total	Yes	92		4	1	4	5	14
Total	No	74		3	4	4	2	13
Total		164		7	5	8	7	27

Level of Significance: 1%***, 5%** , 10%*

Table 26: Logistic Estimation of Legislator’s Voting Behavior on “Other” Roll Calls (Institutional Variables)

Level of Controversy	Government Position	Number of Roll Calls		Government Main Leader	Opposition main Leader	Hierarchy in Directing Table	Hierarchy in political Party	% Prediction
50%	Yes	11	Coeff	.438	-.111	.127	.167	62
			p-value	.3402	.9020	.3693	.0178**	
	No	12	Coeff	.121	-.239	.225	.131	68,79
			p-value	.0191**	.0092***	.1623	.0766*	
60%	Yes	10	Coeff	.135	.794	.236	.125	58,8
			p-value	.0074***	.9348	.1290	.1013	
	No	15	Coeff	.164	-.159	.538	.772	73,28
			p-value	.0013***	.0675*	.0013***	.2711	
70-74%	Yes	27	Coeff	.128	-.120	.262	.242	67,88
			p-value	.0001***	.0597*	.0115**	.0000***	
	No	17	Coeff	.147	-.265	.309	.219	84,49
			p-value	.0291**	.0116**	.1181	.0123**	
75-79%	Yes	26	Coeff	.153	-.113	.440	.158	66,07
			p-value	.0000***	.8555	.0000***	.0014***	
	No	5	Coeff	.342	-.612	1.264	-.203	87,44
			p-value	.0155**	.0010***	.0362**	.1988	
80%	Yes	15	Coeff	.138	-.259	.252	.442	62,97
			p-value	.7427	.7462	.0567*	.4854	
	No	3	Coeff	-.619	.136	-.797	.113	72,84
			p-value	.5479	.4900	.8003	.4697	
90%	Yes	19	Coeff	.935	.229	.650	.141	69,57
			p-value	.0235**	.0030***	.9571	.9981	
	No	1	Coeff	-.329	.432		.590	98,39
			p-value	.4706	.7374		.6098	
Total	Yes	108		4	2	3	3	12
Total	No	53		4	4	2	2	12
Total		161		8	6	5	5	24

Level of Significance: 1%***, 5%** , 10%*

In exact terms, the regression of the variable “Main Government Leader” provides clear evidence that being a leader for the government increases the probability of voting according to the president’s interests. This variable was particularly significant in controversial issues, both on PEC and Other roll calls, always presenting a positive correlation as it was predicted in the model.

The test of the variable “Main Opposition Leader” did not present such emphatic results as that of the “main government leader,” but it also confirmed the hypothesis that predicts a negative correlation between voting for president and being a main opposition leader. In other words, each time this variable was statistically significant it presented negative coefficients. Another indication of the variable capacity of explaining legislators’ voting behavior is that it was chiefly statistically significant on controversial issues and when the government’s position was “no,” that is, when the opposition had the responsibility to vote consistently against presidential preferences.

Is the Directing Table a strategic place for the government?

As the descriptive test of means had already demonstrated, the logistic regression also ratified that it is in the executive’s interest to place worthy legislators in the institutional sphere with the right to define the Congress agenda as well as to what and how many committees will analyze bills. In other words, the test fully approved the hypothesis that predicts a higher probability of cooperation between the executive and the legislators who occupy the highest hierarchical positions on the Chamber’s Directing Table.

This variable was statistically significant eight times on PEC votes and five times on Other votes. In all of these groups of votes, where it was statistically significant, this variable presented positive coefficients confirming the model’s hypothesis.

Are the Permanent and Special Committees strategic places for the government?

In an upsetting result of the logistic regression, the Permanent and Special committees top positions variables were taken out of the model because they presented a poor performance in terms of statistical significance. The top hierarchical position in the Permanent Committees variable was statistically significant only two times on PEC and only once on Other votes. The hierarchy on Special Committees was even worse regarding its statistical performance. In none of the groups of votes was this variable statistically significant. Therefore, the model's hypotheses were not ratified. We can conclude, thus, that the executive is not so concerned about the committees' hierarchical positions since legislators who occupy those positions did not manifest their voting behavior consistently in favor of the president's preferences.

I am not sure, however, if we should be satisfied with this conclusion. I have already referred to clear evidence provided by sophisticated tests which emphasize the existence of informational gains obtained by the Chamber's floor – and by the executive – when the committees are representative of the executive's preferences.

I have also demonstrated that there are strong indications that the executive strategically acts in Congress, substituting unfaithful members by other, more trustworthy, in order to guarantee the victories of his/her preferences, as seen in the Labor and Public Administration Committee on the eve of the final decision regarding an increase in the minimum wage. This assumption was also confirmed by the answers of several legislators who said that their choice of committees was negotiated or even imposed by the party leaders.

These different outcomes can be associated with the very unstable features or trends typical in the Brazilian committee organization. As was shown in the graphs at

the end of Chapter 3, the Brazilian committees present a very high degree of variation concerning their composition; even from one meeting to the next. I presume that those variables were organized in such a way that they did not appropriately capture these features. Therefore, I assume for now that these variables must be carefully analyzed in further studies and researches.

Are party leaders faithful to the President?

The logistic estimation assures that party leaders act favorably *vis à vis* presidential preferences on PEC (seven times) and Other (five times) roll calls. Yet, this behavior is statistically significant especially on controversial roll calls, suggesting that they are more important in convincing their fellow deputies when the legislators' preferences are not that consensual. Every time this variable was statistically significant it presented positive coefficients and thus corroborating the model's hypothesis.

Electoral Variables

Of seventeen electoral variables that originally constituted the model, twelve were withdrawn from the final logistic regression due to the fact that they presented poor statistical performance. In other words, they presented a low level of explanation of our dependent variable: to cooperate or not with the president. Only five electoral variables presented a good performance in terms of statistical significance. So, the analysis will focus on those that are capable of explaining something.

Does Being a candidate for reelection interfere with the legislator's voting behavior?

As was previously foreseen via the descriptive test of means, the regression analysis also ratified that to be a candidate for reelection is an incentive for voting according to the president's preferences. This variable was statistically significant in seven groups of PEC votes and in four groups of Other votes, always presenting positive coefficients (see Tables 27 and 28). The model's hypothesis, which is based on the literature, thus, was rejected.

Table 27: Logistic Estimation of legislator's Voting Behavior on "PEC" Roll Calls (Electoral Variables)

Controversy	Government Position	Number of Votes		Run for Reelection	NoMoTel	Rural	Number of Amendments	% of Pork	Likelihood	Number of Observations	% Prediction
50%	Yes	2	Coeff	.295	.538	-.367	-.745	.989	-345.08	747	79,51
			p-value	.7450	.0094***	.0750*	.0021***	.0011***			
	No	10	Coeff	.525	.390	-.159	-.419	.261	-2276.38	3752	68,76
			p-value	.1786	.0000***	.0473**	.0000***	.0190**			
60%	Yes	17	Coeff	.836	.462	-.161	-.222	.284	-3925.13	6381	67,7
			p-value	.0024***	.0000***	.0077***	.0018***	.0007***			
	No	12	Coeff	1.594	.537	-.119	-.465	.365	-2021.29	4502	81,18
			p-value	.0000***	.0000***	.1745	.0000***	.0041***			
70-74%	Yes	26	Coeff	.537	.554	-.326	-.131	.371	-4979.41	9721	77,42
			p-value	.0250**	.0000***	.0000***	.0445**	.0000***			
	No	27	Coeff	1.601	.411	-.109	-.289	.718	-4255.24	10140	81
			p-value	.0000***	.0000***	.0801*	.0000***	.0000***			
75-79%	Yes	22	Coeff	.733	.485	-.181	-.206	.508	-4201.88	8221	77,81
			p-value	.0054***	.0000***	.0024***	.0033***	.0000***			
	No	7	Coeff	.533	.141	.239	-.305	.644	-1010.66	2634	83,4
			p-value	.3302	.3311	.8550	.0265**	.0007***			
80%	Yes	9	Coeff	1.239	.251	-.377	-.124	.369	-1789.02	3389	75,89
			p-value	.0016***	.0114**	.6836	.2404	.0048***			
	No	14	Coeff	.970	.381	-.350	-.231	.493	-1449.82	5242	90,7
			p-value	.0313**	.0047***	.0016***	.0485**	.0031***			
90%	Yes	16	Coeff	.196	.879	-.148	-.129	.202	-2944.22	6015	80,59
			p-value	.5608	.2458	.0389**	.1253	.0485**			
	No	4	Coeff		.413	-.336	-.103	-.180	-375.30	1491	98,7
			p-value		.1242	.1285	.6686	.5623			
Total	Yes	92		4	5	5	4	6			24
Total	No	74		3	4	3	5	5			20
Total		164		7	9	8	9	11			44

Level of Significance: 1%***, 5%** , 10%*

Table 28: Logistic Estimation of legislator's Voting Behavior on "Other" Roll Calls (Electoral Variables)

Level of Controversy	Government Position	Number of Roll Calls		Run for Reelection	NoMoTel	Rural	Number of Amendment	% of Pork	Likelihood	Observation	% Prediction
50%	Yes	11	Coeff	.688	.108	-.119	-.183	.290	-2927.99	4488	62
			p-value	.0833*	.8782	.0839*	.0299**	.0022***			
	No	12	Coeff	.286	.953	-.161	-.150	.235	-2737.32	4570	68,79
			p-value	.4432	.2114	.0263**	.0806*	.0208**			
60%	Yes	10	Coeff	.595	.161	-.122	-.932	.143	-2487.62	3719	58,8
			p-value	.1282	.0353**	.0998*	.9169	.1661			
	No	15	Coeff	.270	.261	-.188	-.125	.380	-3139.06	5608	73,28
			p-value	.4222	.0004***	.0063***	.1222	.0001***			
70-74%	Yes	27	Coeff	.385	.357	-.230	-.478	.389	-5899.22	9679	67,88
			p-value	.1156	.0000***	.6384	.4217	.0000***			
	No	17	Coeff	1.036	.526	-.196	-.303	.355	-2240.55	5973	84,49
			p-value	.0047***	.0000***	.0224**	.0017***	.0045***			
75-79%	Yes	26	Coeff	.627	.200	-.601	-.975	.310	-6152.06	9705	66,07
			p-value	.0085***	.0001***	.2131	.0905*	.0000***			
	No	5	Coeff	1.212	.240	.917	-.506	.691	-644.68	1872	87,44
			p-value	.0444**	.1879	.5887	.0041***	.0048***			
80%	Yes	15	Coeff	-.252	.662	-.342	.434	.148	-3642.24	5588	62,97
			p-value	.4350	.3026	.5803	.5579	.0851*			
	No	3	Coeff	.465	-.165	-.160	.873	-.474	-636.53	1123	72,84
			p-value	.5348	.3005	.2830	.6268	.8223			
90%	Yes	19	Coeff	-.111	.477	-.641	.476	.578	-4327.01	7096	69,57
			p-value	.6996	.4220	.2636	.4964	.9423			
	No	1	Coeff		.524		-.534	.123	-26.45	373	98,39
			p-value		.5798		.5847	.9318			
Total	Yes	108		2	3	2	2	4			13
Total	No	53		2	2	3	3	4			14
Total		161		4	5	5	5	8			27

Level of Significance: 1%***, 5%** , 10%*

This finding is contrary to what has been expected in the literature, especially because the president's level of popularity has not been taken into account. In this case the accurate assumption should be the following: the higher the popular approval of the president, the fewer the restrictions the president will face for approval of what he wants – even if legislators are running for reelection. This assumption is

particularly true for legislators who belong to the presidential coalition because the benefits for supporting the president are more easily claimed by them.

Is it true that legislators behave according to the Bancada's preferences?

According to the logistic regression, at least for two interest groups, "rural" and "the end of public monopoly of telecommunication," which are distinguished organizations in Congress, it is possible to answer "yes" to this question.

These variables were of consistent statistical significance in the test both on PEC and Other roll calls. To be precise, they performed better on PEC votes (see Tables 27 and 28). However, while the "Nomotel" variable confirmed the model's hypothesis, the "Rural" variable did not. If, on one hand, the "Nomotel" variable systematically conferred positive coefficients suggesting higher probability for voting according to the president's indication, as the model had predicted, the "Rural" variable presented systematically negative coefficients, indicating that those legislators vote less frequently for the president, rejecting the model's hypothesis, on the other.

This odd finding concerning the "Rural" variable had already been anticipated by the descriptive test of means in the first part of this Chapter. As Table 19 shows, the great majority of Rural legislators revealed an inconsistent and intermittent pattern of voting with regard to presidential cooperation. In other words, many times these legislators did not follow presidential preferences.

During the entire first term of Cardoso's government, it was not a rare event to witness the presence of huge political conflicts between landowners and the executive, especially concerning landowner demands for mortgaging old debts with public financial institutions as well as against a few presidential initiatives of land

reform. Almost always Rural legislators dealt with their demands threatening to vote against the president's position if the executive did not respond to their demands.

A very good example of such conflict between landowners and the executive was the decision of the government to create a new Rural Land Tax (ITR) specifically drafted for rural properties with low levels of production. In fact, the government goal with this new tax was to motivate land reform because it presupposes that the larger the unproductive property, the greater will be the tax aliquot.

According to the newspaper *Folha de São Paulo*, "the government is facing a lot of pressures from the *Bancada Ruralista* to not approve the tax collection.

Although the government has been successful in approving the new tax, it has not obtained success concerning the time limit of taxing landowners. This deadline has already been postponed three times as a consequence of political pressures coming from rural legislators who threaten to not vote for presidential bills in Congress." (18 August 1997, pp. 1-6)

Although initially landowners and their representatives in Congress expressed support for the president, as soon as they noted that the government wouldn't give in to their demands, they started opposing presidential initiatives.

In contrast to the rural legislators, as the government agenda of state reform matches the interests of the supporters for the end of the public telecommunication monopoly, these legislators presented a consistent behavior favoring the president in Congress. Therefore, we can conclude saying that interest groups of legislators (*Bancadas*) really work inside Brazilian Congress.

To what extent is favoring Legislator's electoral bases related to cooperation with the president?

In order to answer that question, the logistic regression tested two variables. The first was the number of individual amendments that legislators introduced on the annual budget (but did not necessarily execute), which were designated to benefit the municipality where they received the most votes in the previous election. The second was the percentage of individual legislators' amendments executed by the president in the most important electoral base – usually referred to as pork barrel politics. The model predicts a negative correlation for the former and a positive correlation for the latter.

Ratifying the previous test of means, the econometric test also strongly confirmed both hypotheses. Tables 13 and 14 definitively demonstrate compelling evidence that legislators who have, in fact, most often delivered pork barrel politics amply repaid the president with their political support. This variable was statistically significant in eleven groups of PEC votes and eight of Other votes, most of the time with 1% of statistical confidence. In addition, the variable Pork barrel always displays positive coefficients, attesting to the accuracy of the model's hypothesis.

As for the variable "number of amendments," it has also followed the statement of the descriptive test of means. The amount of individual amendments presented – or even approved – by Congress does not guarantee legislator's cooperation with the president. On the contrary, the econometric test demonstrates that if the legislator's budget amendments are not executed, he/she expresses his/her dissatisfaction through voting consistently against the president's position. This argument can be attested looking at the fourth column of tables 27 and 28, which show this variable statistically significant in nine groups of PEC votes and in five

groups of Other votes, always presenting negative coefficients mainly on controversial issues.

Consequently, the logistic regression firmly indicates that the legislators' concern about delivering policies to an important electoral base of votes is one of the most important determinants of a legislator's voting behavior in terms of cooperation or not with presidential preferences on the floor of the Chamber of Deputies.

CHAPTER 7

CONCLUSION

THE BRAZILIAN ELECTORAL CONNECTION

I – The Brazilian Electoral Connection

The main concern of this dissertation was to estimate a variety of factors capable of exerting influences on legislators' voting behavior in the Brazilian Chamber of Deputies. In the two previous chapters, I have demonstrated that legislators inside the Brazilian Congress do behave according to their party leader indication. They do this in order to gain access to the political and financial benefits controlled by the executive, and which they can in turn use in the electoral arena to maximize their chances and strategies of political survival. Among these strategies, reelection is one of the most important.

At this juncture, I must clarify what I mean by the Brazilian electoral connection. Actually, to explain the Brazilian electoral connection it is important to understand how the legislator's party behavior and pork barrel politics can co-exist in the same political system.

However, we have still to estimate the extent to which this can be a rational behavior by really brings their reelection about. Otherwise stated, it is decisive to know if this behavior inside Congress produces benefits that can be translated into votes in the electoral arena. The answer to the following two questions will help us to solve this puzzle.

Is there a contradiction between pork barrel and party behavior?

In other words, is there a contradiction between the existence of weak political parties in the electoral arena and strong political parties inside Congress?

The key for understanding this apparently contradictory political system is to simultaneously take into account the presence of paradoxical institutional incentives for personal (and sometimes clientelistic) and party behavior. If, on one hand, the electoral system provides incentives for politicians to behave individually, the internal rules of the Congress and presidential power of legislating on the other make legislator behavior extremely dependent on loyalty to the party (see once again chart 1 on Chapter 3).

Besides centralizing the decision-making processes inside Congress and allocating huge executive powers of legislating, the Brazilian political system also allows the president to control the distribution and execution of a lot of political and financial assets. This provides colossal electoral consequences for those that have the chance of exploiting them appropriately.

What this dissertation has so far proved is that the executive has largely used the distribution of those assets to reward faithful legislators by approving their local

demands and punishing legislators who do not follow his preferences by denying access to them.

What I am now trying to prove is what the great majority of Brazilian legislators must do in order to yield to two central yet, opposing pressures. As follows, legislators must satisfy constituencies' demands in order to have conditions to survive politically. Simultaneously, the legislators are compelled to follow their party leader indication and thus to gain access to political and financial benefits, so that they can use them, in turn, to satisfy constituencies' demands in order to have electoral returns. That is exactly how the cycle I have called here the Brazilian electoral connection is sealed.

Therefore, there are no contradictions at all between the strong party behavior and simultaneous strong clientelism through pork barrel politics. On the contrary, as we have seen, the Brazilian political system, mainly condensed by a feeble electoral system and centralized internal rules of Congress, affords equilibrium. However, in this case, the dynamic equilibrium point can change from one issue to the next. Precisely, it depends chiefly on the capacity of the president and his party leaders to offer the appropriate incentives – political and financial benefits – at the appropriate moment to individual legislators in order to overcome his/her personal costs from voting with the president.

Up to now, we are able to affirm that the legislators who mostly achieve success in delivering pork barrel politics present a pattern of voting behavior inside Congress consistently favoring presidential preferences. Nevertheless, to what extent has this legislator's strategy - of being reliable for presidential preferences oriented to maximize the execution of constituency's demands – been supplying electoral returns?

In order to answer this complex question I have run a final logistic regression, taking as the dependent variable a dummy that represents legislators who ran for reelection in the legislative election of 1998. This variable is assigned the value of 1 if the individual legislator was reelected, and 0 if otherwise. In other words, through this regression I want to estimate if the legislator's strategy of exchanging presidential support (party behavior) for pork barrel during the four years of this legislature really brought in electoral returns.

Of the 606 legislators in my sample, including effective and substitutes, 446 (73.59%) decided to be candidates for reelection in 1998; 49 (8.08%) to be candidates for other electoral positions, such as State Governors, Senator, and so on; and 160 (26.40%) decided not to run for any electoral post. Of the 446 candidates who ran for reelection, 286 (64.41%) were reelected and 160 (35.87%) were not successful in their aims.⁵⁰ It might be a coincidence, but it was the first legislative election in the history of Brazilian democracy where the number of reelected legislators surpassed the number of new legislators, suggesting a kind of electoral reward by voters.

To confirm that it was not just a coincidence I decided to go ahead with the regression analysis of the dependent variable: that of being reelected or not. The key explanatory variable of this test, of course, is the percentage of pork barrel politics, in the form of individual legislator's amendments on the budget from 1995 to 1998 oriented to benefits towards the municipality where he/she received most votes, which the president concretely executed. The model predicts a positive correlation between reelection and pork barrel. In other words, the greater the percentage of pork barrel delivered, the greater the probability of being reelected is.

⁵⁰ Of 286 elected, 56 were left legislators; 100 center legislators; and 130 were right legislators.

Besides “pork,” the model also takes into account the variable “Namenda,” which represents the number of individual amendments approved by each legislator, but not necessarily executed by the government, on the annual budget oriented to the municipality where the legislator obtained most votes. It is expected that the logistic regression shows a negative coefficient for this variable indicating thus that for the legislators, just claiming credit does not lead to recognition by their constituency.

In addition to pork barrel and the number of amendments approved but not executed, I have added another important variable, “Spends98,” which represents the total amount of money each legislator claims to have spent during his/her electoral campaign of 1998, as per their official declaration to the Electoral Court. It is widely believed that the larger the amount of money spent, the greater will be the probability of legislators’ reelection.

The model also intends to estimate the effect of legislators voting behavior inside Congress on the likelihood of reelection. “Presvot” indicates how many times each individual legislator voted with the president during the entire legislature, from 1995 to 1998. This variable works like an indicator of presidential loyalty. Hence, it is expected that the more legislators vote for the president, the more they increase their probability of reelection, since the president has enjoyed consistent popular approval during his whole first term.

Although it is necessary to recognize that this model needs a better specification (as well as the inclusion of other important variables so that we can understand the complex set of reasons which have influenced the process of reelection) it is possible to say that this model affords us insightful and interesting findings. Besides that, the regression presented a very percentage level of prediction, about 80%. This actually illustrates a sign of reliability of the regression equation.

The key result in the logistic analysis is the fact that the coefficient on “Pork” is positive and significant (see Table 29 below) confirming the hypothesis. This means that, *ceteris paribus*, the greater the amount of individual legislator amendments certainly executed by the president, the higher will be the probability of legislator’s reelection.

Table 29: Logistic Estimation of Reelection of 1998

Variable	Coefficient	Standard Error	b/St.Er.	P[Z >z]	Mean of X
Characteristics in numerator of Probability[Y = 1]					
Constant	.8200679994	.54400376	1.507	.1317	
PORK	1.123893291	.49270973	2.281	.0225	.33083333
NEMENDA	-.7537403819E-01	.35539859E-01	-2.121	.0339	3.0312500
SPENDS98	.2087799722E-05	.12473569E-05	1.674	.0942	153785.71
PPRESVOT	.2182740945	.68785255	.317	.7510	.75736315

Percentage of Prediction: 79.16%

Log likelihood: -129.2009

Number of Observations: 288

Another important finding of the test was the confirmation of the prediction concerning the variable “number of amendments.” Its coefficient is negative and statistically significant. This result indicates that the greater the number of individual legislator amendments approved (but not executed) by the president, the lesser will be the probability that this legislator will be reelected. That is probably the reason why these legislators also present a low probability of voting with the president, since they are not usually rewarded.

Those two previous results represent powerful evidence that the legislators’ strategy of following presidential preferences and their party leader indication in order to have access to political and financial benefits that they could exploit in electoral arena, does guarantee electoral returns. In a word, the Brazilian electoral connection really works.

However, the regression also indicates that spending money during electoral campaigning also has implications regarding reelection. This variable shows a positive and statistically significant coefficient. This result also confirmed the model hypothesis.

An impressive surprise provided by the regression was the result of the variable voting with the president. Although its coefficient is positive, the variable of voting with the president was not statistically significant. This means that there is no correlation between a legislator's behavior inside Congress and his/her probability of being reelected.

Furthermore, this result suggests that the legislators' constituencies do not directly constrain their representatives' behavior inside Congress. Actually, they are even more concerned with the capacity of their representatives of delivering policies oriented to benefits to their local municipalities since they reward politicians based not on their legislator's voting or party records, but based mainly on this legislator's personal endowments. This leads us to infer that, in the electoral arena, the great majority of voters do not mind to which party the legislators belong.

Therefore, when legislators are deciding how they should vote on the floor of the Brazilian Chamber of Deputies, they are less inclined to take into consideration their constituency's position since it provides few benefits for their future political careers. What they are really strategically concerned with is how to access the benefits controlled by party leaders and by the executive. This is why political parties are so strong inside the Brazilian Congress, but at the same time, they are so weak on the electoral arena. Consequently, there is also no contradiction at all between expecting legislators voting according to the party leader indications inside Congress and

expecting them to behave personally searching for pork barrel benefits in the electoral sphere.

Naturally, there is more to the Brazilian legislative voting behavior than what has been presented in this dissertation. Perhaps the most important contribution has been to show that the rational choice models of Positive Political Theory can profitably be used to analyze and understand Brazilian political actors and their relations. There is a practically unexplored research agenda in applying this exciting new literature and methodology to such a fertile set of institutions and situations. Moreover, it is demonstrated how rich a multivariate approach is to analyze legislator's voting behavior, and I believe, especially in comparative perspective.

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