Bicameralism and the Dynamics of Lawmaking in Brazil

Taeko Hiroi

Department of Political Science

University of Pittsburgh

DRAFT: Please do not cite or quote without the author’s permission.

Introduction

What explains the dynamics of lawmaking in developing countries? Many researchers have argued that bicameralism is a key institution that increases legislative delays and gridlock (see, for example, Tsebelis and Money 1997; Binder 1999; Bottom et al. 2000; König 2001). However, outside the US presidential system and European parliamentary systems, virtually no theoretical or empirical research to date has explored the effects of bicameralism in new democracies.¹ The dearth of research on the effect of bicameralism in new democracies is unfortunate because many newly democratized countries adopted bicameral legislatures and a few of them (e.g., Peru and Venezuela) have abolished their bicameral congresses and replaced them with unicameral ones. Prior studies of legislative politics in new democracies have instead concentrated on executive-lower chamber relations or modeled bicameral legislatures as if there were only one chamber (e.g., Shugart and Carey 1992; Ames 2001; Cox and Morgenstern 2001).

The purpose of this paper is to analyze, taking Brazil as a case, the determinants of bill approval and legislative gridlock in a nascent presidential bicameral democracy. I argue that bicameral incongruence of preferences raises the political system’s propensity for legislative gridlock. In contrast, a government’s majorities in both houses of Congress increase a chance of bill approval. An event history analysis of Brazilian legislative data (1988-2004) shows that bicameral incongruence raises the risk of bill rejection but has no effect on bill approval. On the other hand, a government’s bicameral majorities increase the likelihood of bill approval. In contrast, I find no statistical evidence on the effects of supermajoritarian rules on the approval or rejection of bills in the Brazilian Congress. Finally, evidence suggests that economic crises—not

economic problems—stimulate policymaking activities both in approving and rejecting economic bills, a finding that is especially relevant for crisis-prone developing countries.

**Bicameralism and the Determinants of Lawmaking**

Political pundits and practitioners alike have long debated the merits of bicameralism.² The proponents of bicameralism have argued that bicameralism strengthens the representative function of government by allowing one additional arena for interest representation, improves the quality of legislation, furnishes an institutionalized check on the abuse of legislative power, increases policy stability, and reduces uncertainty in government action (e.g., Riker 1992; Levmore 1992; Hammond and Miller 1987; Rogers 2001). In the last decade, empirical studies of bicameralism have shown that bicameralism is indeed consequential. Bicameral incongruence, or divided policy majorities between the two chambers, increases legislative delays and gridlock (Tsebelis and Money 1997; Binder 1999; Bottom et al. 2000; König 2001). Bicameral incongruence also deteriorates government deficits where political party discipline is weak but improves budget balances where there is a tight party discipline (Heller 1997, 2001). The lack of a government majority in the upper house in bicameral parliamentary systems threatens cabinet stability (Druckman and Thies 2002). And bicameral rules and informational (a)symmetries affect the sequence of the legislative move, bargaining between the two chambers (and with the president in presidential regimes), the strategies that actors use to pursue their goals, and the likelihood that the bills are adopted (Money and Tsebelis 1992; Tsebelis and Money 1997; Rogers 1998).

Much of the contemporary debate on legislative politics focuses on the conditions that constrain a political system’s ability to act promptly and decisively (e.g., Weaver and Rockman

² A good summary of the historical justifications of bicameralism is found in Tsebelis and Money (1997).
Research based on the theories of veto players and divided government has shown that a concurrence of preferences of key legislative actors (both collectives and individuals) is crucial for a change of a prevailing policy.\(^3\) Where this condition is absent, legislative delays and gridlocks are expected to ensue. Prior research has also revealed that even when all parties agree that some agreement is better than no agreement, conflict can still arise over the specifics of new legislation. In the bargaining over the content of legislation, no one wants to back down first, and thus delays are a prominent property of legislative bargaining (Cox and Kellner 1991, 243).

In a similar fashion, bicameralism imposes a more stringent condition for a change of a status quo policy than unicameralism by requiring a concurrence of preferred policy positions by two distinct chambers (Hammond and Miller 1987; Riker 1992; Tsebelis and Money 1997).\(^4\) In more technical terms, as the preferences of the two chambers diverge, the “winset” of the status quo—the set of all points that can defeat the status quo—becomes smaller, and hence the change of the status quo less likely. The convergence of preferences, in turn, is less likely if the two chambers have different partisan compositions and member characteristics. The sources of inter-chamber differences include, but not limited to, different methods and timing of membership selection, different career trajectories, and different career incentives that internal organizations of each chamber give to their members.

Besides the distribution of preferences, decision rules affect the propensity for policy change. The difficulty of implementing a policy change under the requirement of supermajoritarian voting rules has been well documented (Krehbiel 1996, 1998). In a bimemeral

---


\(^4\) This statement assumes that both chambers are endowed with veto rights. However, even if one of the chambers has only the power to delay, modeling legislative politics in a bimemeral legislature as if it were unicameral would be fallacious (Tsebelis and Money 1997).
setting, in addition to voting requirements, rules that govern inter-chamber conflict resolution influence the speed of legislation and legislative outcomes. Two exemplary bicameral conflict resolution mechanisms are the *navette* system, in which bills shuttle between the two chambers until an agreement is reached or some stopping rule is applied, and a conference committee, in which representatives from both chambers draft a compromise bill that is subsequently voted in the floor under a closed rule (that is, without amendment) (Money and Tsebelis 1992; Tsebelis and Money 1997). In the *navette* system, bicameral bargaining is central to determining the outcome, and holding all else equal, the chamber that can better withstand the delays of new legislation has a bargaining advantage. This desire of actors in negotiation to strike an agreement sooner than later is known as impatience (Tsebelis and Money 1997).

Conferring on one chamber the power to be decisive is yet another conflict resolution mechanism. An example is to grant the chamber that initiates a bill the ‘last word’ on the bill after it is reviewed by the other chamber. Lijphart (1999) calls two chambers with equal constitutional prerogatives and democratic legitimacy (i.e., whether members are appointed or selected through popular elections) symmetric and ones that lack these qualifications as asymmetric. If, in symmetric bicameralism, the composition of the two chambers differs with respect to the characteristics of membership and their preferences (that is, if the two chambers are incongruent), policy immobility is the likely result. If incongruence occurs in an asymmetric bicameral system, then the more powerful chamber is likely to overshadow the less powerful one, albeit to varying degrees. If there is bicameral congruence in either symmetric or asymmetric bicameralism, policy change should not be difficult, if so desired by all actors.

The arguments thus far can be summarized in terms of the following hypotheses:
- Bicameral incongruence of preferences raises the propensity for legislative delays and immobility;
- Legislative delays and immobility are more likely in symmetric bicameralism than in asymmetric bicameralism;
- The propensity for gridlock increases with the rigidity of decision rules; and
- Impatience reduces the propensity for legislative delays and gridlock.

**Research Design**

I test the above hypotheses with legislative data from Brazil for the period 1988-2004. Brazil is an ideal case to examine the effects of bicameralism and various decision rules on legislative production. First, Brazil has unique legislative rules that in effect make it possible to study various “types” of bicameralism. Constitutionally, the Brazilian Chamber of Deputies (the lower house) and the Senate (upper house) are co-equal. Unlike many countries in which the lower chamber dominates the upper chamber, there is no area of legislation that is granted to the Chamber of Deputies but denied to the Senate. However, in Brazil the house that initiates a bill for statutory law is decisive in the final decision (Article 65 of the Constitution). That is, although the reviewing house has the right to amend, so long as it approves the bill, there is no formal mechanism for the reviewing house to enforce such amendments. In this case, the Brazilian bicameral system can be considered, in Lijphart’s terminology, asymmetric. In contrast, a proposed amendment to the Constitution represents legislative activities in the context of symmetric bicameralism. The Brazilian Constitution requires that each chamber of the Congress approve the identical text of an amendment by three-fifth majorities, voted on two

---

5 In contrast, there are twelve areas of legislation that are constitutionally exclusive to the Senate’s competency. These include the authority to appoint two-thirds of the judges that review federal expenditures and the right to authorize international loans by the states.
separate rounds (Article 60). In short, due to variation in decision-making rules, Brazil provides a natural experimental setting to test, while holding country-specific factors constant, the symmetry-asymmetry hypothesis and explore how different decision rules affect legislative outcomes. Table 1 summarizes decision rules and procedures of the Brazilian Congress.

### Table 1: Rules and Procedures in the Brazilian Congress

<table>
<thead>
<tr>
<th></th>
<th>Mode of Deliberation</th>
<th>Type of Vote</th>
<th>No of Votes Required</th>
<th>Type of Bicameralism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitutional Amendment</td>
<td>Navette until agreement is reached</td>
<td>Roll call</td>
<td>3/5 of each chamber on 2 rounds</td>
<td>Symmetric</td>
</tr>
<tr>
<td>Complementary Law</td>
<td>Navette (initiating house is decisive)</td>
<td>Roll call</td>
<td>Absolute majority in each chamber</td>
<td>Asymmetric</td>
</tr>
<tr>
<td>Ordinary Law</td>
<td>Navette (initiating house is decisive)</td>
<td>Symbolic</td>
<td>Simple majority in each chamber</td>
<td>Asymmetric</td>
</tr>
</tbody>
</table>

**Source:** Brazilian Constitution.
**Notes:** This table excludes budgetary procedures and deliberation of presidential decrees and vetoes. A simple majority refers to votes by a majority of members present in the session, and an absolute majority refers to votes by a majority of each chamber’s membership.

Second, the question of legislative efficiency has spurred widespread discussions both among political scientists and policymakers in Brazil. To many observers and practitioners of Brazilian politics, Brazil suffers governability problems. Scholars such as Ames (2001) and Stepan (2000) argue that, despite substantial and immediate needs for economic, political and social reforms, the Brazilian political system has been unable to carry out these reforms. Where changes were made, moreover, they often came too late (usually punctuated by some sort of crises) and/or too little. These scholars contend that Brazil’s governability crisis results from the country’s electoral system to the lower chamber that hinders efficient interest aggregation and strong regional powers vis-à-vis central authority due to its federal system.

These claims are far from obvious, however. Figueiredo and Limongi (2001) argue that the Brazilian political system does not have the governability crisis as often alleged because the executive dominates the legislative process. In Brazil, the president, who proposes about 85
percent of all sanctioned laws, uses his constitutionally endowed substantial legislative prerogatives—the exclusive right to initiate certain legislation, executive decree authority, and the ability to request “urgency” of deliberation of his projects in the Congress—to promote his projects.

However, none of the major studies on Brazilian legislative politics has examined bicameralism as a potential source of legislative gridlock. Both Ames and Figueiredo and Limongi focus on executive-lower chamber relations in their research. This scarcity of scholarly attention to bicameralism in Brazil may stem from the widespread perception that the Senate is simply the house of review and tends to be pro-executive, making the Senate appear a non-significant actor in the legislative process (see, for example, Figueiredo and Limongi 1996, 8). While it is true that many bills originate from the lower house (due to the constitutional requirement that executive proposals be submitted to the Chamber of Deputies) and the initiating house has the last word on the bills, the Senate still holds vetoes on such proposals. Moreover, the Senate holds the same ‘last word’ prerogative as the Chamber in relation to the bills originating from that house. With respect to constitutional amendments, there is no advantage for being the initiating house. Any disagreements on the text of constitutional amendment must be resolved by both chambers, or else the amendment will be aborted. Hence, any analysis of legislative politics in Brazil should explicitly treat the powers and preferences of the Senate as variables to be studied, rather than assume its non-impact. Understanding the relationships between and among the two chambers and the executive will shed new light into the study of legislative politics in Brazil and contribute to solving the governability puzzle.

The legislative data for the subsequent analyses include proposals for constitutional amendment and two types of statutory bills—ordinary and complementary. The data set
includes: (1) all executive and judicial proposals submitted to the Brazilian Congress for deliberation from October 1988 (the promulgation of the current constitution) to December 2003 for which information is available\textsuperscript{6}; and (2) congressional proposals that were approved at least by one chamber. Specifically, all the congressional bills considered here were approved by the Chamber of Deputies if proposed by a deputy or approved by the Senate if proposed by a senator. In other words, I consider only those bills that cleared the hurdle of approval at least in the legislative body of origin, be it the Executive, Judiciary, Senate, or Chamber of Deputies. This method allows me to analyze only those bills that are regarded as important enough to pursue at least by a house or branch of origin and safely eliminate those bills that were proposed for the sake of proposing (which many members of Congress do). The “history” of each of those bills was traced until July 31, 2004, on which date it was censored if a bill had not been approved, rejected, archived, or withdrawn. Information on those bills was generated using the Brazilian Senate’s and Chamber’s on-line databases and was supplemented with additional materials provided by the Brazilian Senate’s Subsecretaria de Informações.

Table 2 shows a summary of bills included in the data set by their types and origins. It indicates that the Executive, the Chamber, and the Senate are roughly equal as initiators of those three types of bills. Between 1988 and 2003, of 3,069 bills the Executive proposed 846 statutory and constitutional amendment bills whereas the Chamber and the Senate proposed 1,107 and 967 bills, respectively. The judiciary proposed far fewer (130) bills. However, this is not surprising given the fact that the judiciary proposes only statutory bills related to the internal organization of that branch. Of the 3,069 bills proposed during this period, 2,844 bills (92.7\%) were statutory

\textsuperscript{6} The Chamber’s database is not very reliable for obtaining information on bills submitted before 1997. Some bills that were archived before 2000 also may not show up in the database and thus may not be included in this data set. Where possible, I supplemented the data set with additional materials obtained through the Brazilian Senate’s Subsecretaria de Informações. However, executive and judicial statutory bills may be underreported before 1997. This problem does not apply to constitutional amendment proposals.
bills intended to change or enact ordinary law. Only 119 (3.9%) and 106 (3.5%) were complementary law and constitutional amendment proposals, respectively.

Table 2: Type of Bills Deliberated in the Brazilian Congress by Origin

<table>
<thead>
<tr>
<th>Type of Bills Deliberated</th>
<th>Executive</th>
<th>Legislative</th>
<th>Judiciary</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Chamber</td>
<td>Senate</td>
<td>Other</td>
<td></td>
</tr>
<tr>
<td>Statutory Bills (Ordinary)</td>
<td>757</td>
<td>1,061</td>
<td>877</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>(89.5%)</td>
<td>(95.8%)</td>
<td>(90.7%)</td>
<td>(100%)</td>
</tr>
<tr>
<td>Statutory Bills (Complementary)</td>
<td>41</td>
<td>28</td>
<td>50</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td>(4.9%)</td>
<td>(2.5%)</td>
<td>(5.2%)</td>
<td></td>
</tr>
<tr>
<td>Constitutional Amendment Bills</td>
<td>48</td>
<td>18</td>
<td>40</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td>(5.7%)</td>
<td>(1.6%)</td>
<td>(4.14%)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>846</td>
<td>1,107</td>
<td>967</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>(100%)</td>
<td>(100%)</td>
<td>(100%)</td>
<td>(100%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>3,069</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(100%)</td>
</tr>
</tbody>
</table>

Note: “Other” under the legislative branch includes the Tribunal de Contas and joint committees of the National Congress.

Data Analysis

I use an event history analysis to examine the legislative dynamics of bicameralism and decision rules in Brazil. In the past, many scholars estimated legislative delays and gridlock using cross-tabulations, linear regressions, and/or logit or probit models (e.g., Figueiredo and Limongi 1996; Mayhew 1991; Krehbiel 1998; Binder 1999). An event history analysis is a more appropriate method to analyze legislative data when one is concerned not only about legislative outcomes but also about the timing of bill approval and rejection. The goal of this paper is precisely that, i.e., to evaluate the impact of the covariates on the Brazilian Congress’ decisions on important bills and their timings.

The covariates included in the analysis are as follows. INCONGRUENCE is the percentage difference in seat shares of parties in the government coalition in the Senate and the

---

7 See Box-Steffensmeier and Jones (2004) for a comprehensive review of event history analysis.
Chamber. GOVERNMENT BICAMERAL MAJORITY is a dummy variable and takes the value of 1 when the government has majorities in both the Senate and the Chamber, and 0 otherwise. Both incongruence and government bicameral majority are measures of legislative preferences. I expect that the larger values of incongruence increase the risk of bill rejection and that government bicameral majorities raise the hazard of bill approval. These measures are, of course, not perfect and they assume that members of the parties in a government coalition have similar preference portfolios with respect to important legislation. A better alternative would be to use ideological information of individual members of Congress and the government. However, there are no such data in Brazil. Hence, I opted to use “practical” preferences of the members of Congress. After all, there are reasons for political parties to be in a government’s support coalition and those parties try to vote with the government whenever possible. I obtained the information on the partisan compositions of the Chamber and the Senate through the Chamber’s Secretaria-Geral da Mesa and Centro de Documentação e Informação, and the Senate’s Relatório da Presidência. I used records on the changes in party affiliations of individual members of Congress in order to have accurate accounts of the size of each party in Congress over time.

For decision rules and bicameral types, I use dummy variables that represent supermajority-symmetric bicameralism (i.e., constitutional amendment proposals) and absolute majority-asymmetric bicameralism (i.e., bills of complementary law) (see Table 1). The base category is simple majority-asymmetric bicameralism (i.e., bills of ordinary law). It should be more difficult to approve a bill under supermajority-symmetric bicameralism than under absolute and simple majority-asymmetric bicameralism. Likewise, the chances of bill approval should be lower for bills examined under the absolute majority rule than under the simple majority rule.
The data analysis also includes various factors that may elevate the level of impatience among legislative actors. First are legislative and presidential elections. Elections may increase legislative activities because legislators and the president’s allies in Congress are likely to wish to deliver results to their constituencies when facing upcoming elections. I coded 1 for the quarter in which legislative and presidential elections take place and three quarters prior to it. Impatience may also be high at the beginning of a legislative period because politicians need to deliver campaign promises to their voters. As such, the first year of each four-year legislative period is coded as 1. Finally, many developing countries experience severe economic problems rather frequently. I expect that politicians’ and policymakers’ imperatives to promptly cope with economic difficulties become elevated during times of economic crises. I use monthly inflation rates as a measure of economic problems and interact it with bills proposing economic policies. We should see economic policy bills’ hazard rate to be significantly positive only when there is hyperinflation. In addition to economic policy, the following estimates include policy areas concerning administrative issues, rights and codes (such as civil and penal codes), political and institutional questions, and tributes (such as renaming a highway honoring a famous politician). The base category is social policy.

Finally, the data analysis takes into account the following factors. First, the extant literature (e.g., Figueiredo and Limongi 2001) on Brazilian legislative politics indicates that the executive is the principal agent of legislation. Thus, I include dummy variables for congressional and judicial proposals having executive bills as the base category. The models also contain a dummy variable for bills whose appreciation began in the Chamber of Deputies rather than in the Senate in order to allow for the impact that sequences of deliberation may have on bills’ outcomes and their timings. Also included in the analysis is a dummy variable
representing bills proposing temporary policy change rather than permanent one. The former should face less difficulty than the latter in their approval. Finally, the models are estimated with a series of dummy variables representing different administrations since the promulgation of the 1988 Constitution.

I use the Cox proportional hazard model to estimate the effects of those covariates on bill approval and rejection. I adopt the latent survivor time approach to “competing risks” of approval and rejection.\(^8\) Table 3 presents the estimation results. The first column is a “pooled” model which does not distinguish among the ways in which bills’ deliberations were terminated, be it approval, rejection, withdrawal, or otherwise. It is provided as a reference. The more interesting findings are found in the second and third columns where the effects of covariates are estimated separately for bill approval and rejection. As predicted, bicameral incongruence has a positive and significant effect on bill rejection. The hazard ratio can be obtained by exponentiating the coefficient, \(\exp(0.04) = 1.04\). Since the values of incongruence ranges from 0.360 to 24.83 and their corresponding hazard ratios from 1.01 to 1.58, going from the minimal value of bicameral incongruence to that of the maximal value raises the hazard of bill rejection by 57%. Bicameral incongruence has no statistically significant impact on bill approval, however. On the other hand, a government having majorities in both houses of Congress increases the hazard of bill approval by 105%, but such majorities do not influence the hazard of bill rejection.

---

\(^8\) Diermeier and Stevenson (1999) use the latent survivor time approach in their analysis of cabinet duration. This approach assumes that only the incidence of the first event is observed and the failures due to other than the first event are treated as right-censored. See also Box-Steffensmeier and Jones (2004).
Table 3: Cox Competing Risks Model of Legislative Activities

<table>
<thead>
<tr>
<th></th>
<th>Pooled</th>
<th>Approval</th>
<th>Rejection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incongruence</td>
<td>0.03****</td>
<td>0.02</td>
<td>0.04**</td>
</tr>
<tr>
<td>Government Bicameral Majority</td>
<td>-0.09</td>
<td>0.72***</td>
<td>0.50</td>
</tr>
<tr>
<td>Supermajority/Symmetric</td>
<td>0.07</td>
<td>-0.09</td>
<td>-0.33</td>
</tr>
<tr>
<td>Absolute Majority/Asymmetric</td>
<td>-0.01</td>
<td>0.23</td>
<td>-0.47</td>
</tr>
<tr>
<td>Congressional Election</td>
<td>-0.14</td>
<td>-0.25*</td>
<td>0.64*</td>
</tr>
<tr>
<td>Presidential Election</td>
<td>0.07</td>
<td>0.28**</td>
<td>-0.90**</td>
</tr>
<tr>
<td>Beginning of Legislature</td>
<td>0.52****</td>
<td>0.31****</td>
<td>0.91****</td>
</tr>
<tr>
<td>Congressional Proposal</td>
<td>-0.82****</td>
<td>-0.99****</td>
<td>1.29****</td>
</tr>
<tr>
<td>Judicial Proposal</td>
<td>0.53****</td>
<td>0.66****</td>
<td>--</td>
</tr>
<tr>
<td>CD First House</td>
<td>0.41****</td>
<td>0.95****</td>
<td>-0.54****</td>
</tr>
<tr>
<td>Temporary Change</td>
<td>1.39****</td>
<td>1.51****</td>
<td>-0.40</td>
</tr>
<tr>
<td>Inflation</td>
<td>-0.002</td>
<td>-0.003</td>
<td>-0.01</td>
</tr>
<tr>
<td>Inflation*Economic</td>
<td>0.01****</td>
<td>0.01**</td>
<td>0.02**</td>
</tr>
<tr>
<td>Economic</td>
<td>-0.04</td>
<td>-0.07</td>
<td>0.08</td>
</tr>
<tr>
<td>Administrative</td>
<td>0.28****</td>
<td>0.26***</td>
<td>0.19</td>
</tr>
<tr>
<td>Rights &amp; Codes</td>
<td>-0.18**</td>
<td>-0.41****</td>
<td>0.11</td>
</tr>
<tr>
<td>Tribute</td>
<td>0.64****</td>
<td>0.90****</td>
<td>-0.06</td>
</tr>
<tr>
<td>Political-Institutional</td>
<td>-0.02</td>
<td>-0.14</td>
<td>0.10</td>
</tr>
<tr>
<td>Log Pseudo-Likelihood</td>
<td>-15165</td>
<td>-9592</td>
<td>-2868</td>
</tr>
<tr>
<td>N</td>
<td>52950 (2133)</td>
<td>52950 (1344)</td>
<td>52950 (416)</td>
</tr>
</tbody>
</table>

Note: * = p ≤ 0.1, ** = p ≤ 0.05, *** = p ≤ 0.01, **** = p ≤ 0.001. Entries are coefficients. Significance tests used a two-tailed test and robust standard errors. There is no rejected judicial proposal. Coefficients are estimated with various government dummies (not shown in the table).
Counter to the hypotheses, decision rules/bicameral type variables do not have effects on bill approval or rejection. This finding is quite surprising given that extant work has demonstrated the propensity of supermajoritarian rules to cause legislative gridlock (e.g., Krehbiel 1996, 1998; Brady and Volden 1998). The non-significance of those variables may be due to the possibility that overcoming the initial hurdle of approval in the legislative body of origin under supermajoritarian rules is very difficult and that once that barrier is surpassed, the likelihood of bill approval under supermajoritarian rules in subsequent stages may become indistinguishable from that under less rigid rules. In any event, the effects of decision rules warrant further exploration, preferably using an expanded data set.

Turning to the impatience variables, the estimation results of pre-electoral periods are interesting in that they point to opposite effects of presidential and legislative elections. That is, the hazard of bill approval decreases during legislative election periods whereas it rises during presidential election years. In contrast, the hazard of bill rejection increases during legislative election years but diminishes during presidential election years. On the other hand, the beginning of a legislative period induces greater legislative activities in both approving and rejecting bills.

Finally, the interaction of inflation rates and economic policy bills is positive and significant, suggesting that inflation raises the hazard of bill approval and rejection in the economic policy areas. Figure 1 shows conditional hazard ratios of economic bills (the Y-axis) at various inflations rates (the X-axis). The solid lines indicate where hazard ratios are significant at least at the p = 0.1 level and the discontinuous lines are those that do not achieve statistical significance. Note that the hazard ratios are only significant at higher inflation rates (monthly inflation rates of 10% or higher for rejection and 25% or higher for approval),
confirming the hypothesis that only economic crises, but not economic problems, compel politicians and policymakers to work more efficiently in approving and rejecting bills.

**Figure 1: Conditional Hazard Ratios of Economic Bills at Various Inflation Rates**

![Graph showing conditional hazard ratios of economic bills at various inflation rates.]

Other noteworthy findings include that congressional proposals fare much worse than executive proposals. Congressional proposals face a hazard of approval 63% less than executive bills, while the hazard of rejection for congressional proposals are 3.62 times higher than that for executive ones. In addition, when the Chamber of Deputies is the first house to deliberate, the bill has a higher chance of being approved and a lower risk of rejection. Finally, and as expected, bills proposing a temporary change have a higher hazard of being approved than those proposing a permanent change. This finding suggests the relative ease of bargaining in striking an agreement when one proposes a short-term change rather than a long-term change.
Conclusion

Much too often scholars studying newly democratized presidential regimes have focused on their executives in analyzing legislative politics. In recent years, research that does examine legislatures has begun to appear. However, most of those studies tend to model bicameral legislatures as single-chamber congresses. Using the Brazilian legislative data, this paper demonstrated that bicameral divergences are indeed consequential even for nascent presidential democracies. In particular, bicameral incongruence raises the risk of legislative gridlock but a government’s majorities in both houses of Congress speeds up legislative approval. Modeling bicameralism explicitly in legislative research enhances a better understanding of the dynamics of lawmaking.

Brazil’s Congress is often alleged to be inefficient in legislative activities. One of the policy implications that can be derived from the results of the econometric analysis is that a political reform that enhances a government’s stable majorities in both the Chamber of Deputies and Senate is likely to make the Brazilian Congress more efficient in legislating. This advice should be taken seriously not only in Brazil but also in other countries with gridlock-prone and slow legislatures. In Peru and Venezuela, with the objective of reducing barriers to legislation, their presidents (Fujimori and Chavez, respectively) undertook overhauls of their political systems in which the countries’ bicameral congresses were transformed into single-chamber legislatures. Unicameral legislatures may indeed be more attractive if one only considers the efficiency in lawmaking. Nonetheless, bicameral legislatures have virtues for which many scholars and policymakers argued in the past, such as bettering the quality of legislation and offering an additional arena for representation. Furthermore, if legislative efficiency is the issue, there are alternative ways to increase it within a bicameral congress as this study has shown.
Institutional reformers and citizens must think very carefully when weighing the costs and benefits of bicameral and unicameral legislatures before adopting one or the other.
References


