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Brazilian Congress and Foreign Affairs: Abdication or Delegation?

Leany Lemos

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Brazilian Congress and Foreign Affairs: Abdication or Delegation?¹

Leany Lemos

I. Introduction

Brazil is playing an increasingly important role globally and thus getting attention from a wide set of observers and practitioners – from academics and policy makers to businesses. Nevertheless, its foreign policy continues to be pursued and implemented in a much insulated fashion, almost entirely through the hands of the executive branch – the president and a set of ministries and agencies, where interests make themselves apparent -, without much participation of the Brazilian Congress. It is considered to be a remarkable case of abdication of power (Lima and Santos, 1998). But is it real abdication, or a case of delegation of powers? Here, I argue in favour of the latter case, siding with those that see Congress as more than pure spectator (Maia and Cesar, 2004; Neves, 2003; Diniz and Ribeiro, 2008; Diniz, 2009).

My point is that early studies, when scrutinizing the role of Congress in foreign affairs issues, focused almost exclusively in one indicator: the rate of the ratified treaties and agreements in Congress. Because about 90% of them are approved, scholars would point out to Congress abdication. Nevertheless, more recent studies have demonstrated that this is a complex process in which Congress members put their imprint (Diniz and Ribeiro, 2008; Diniz, 2009). I add that, though treaties and agreements ratification are a rather important Constitutional prerogative (Federal Constitutional article 49), it is not the only way in which Congress can get involved in foreign affairs. There are other important indicators that can be looked at to assess how aware of or involved in international issues members of Congress are. In this paper, besides looking at the legislative output on international agreements, I add four other different ways in which the Brazilian Congress has addressed foreign affairs issues in the last two decades – the *perceptions* of congress members on chosen international issues, the *permanent committee level of activity* in the Senate, *budget output* of the Foreign Affairs and Defence Committees in both houses, and finally *oversight* on the issue. This last feature is broken into two analyses, one of the nomination process and the other on the number of performed hearings from 1988-2005. These five indicators show that, although Congress still cannot be considered a central player at the stage, it has not abdicated on the issue and plays more of a delegative role, in which its members demonstrate strong opinions, alter budget allocation, modify agreements and perform some oversee of the president and of agencies responsible for the decision-making. In other words, I consider there is a degree of delegation in the Brazilian system, and that a total absence of Congress in the decision-making process cannot be taken for granted.

This article is structured as follows. The next section gives a broad vision of the institutional constraints that set the scenario where Congress members operate, thus leading to the delegative system in place in Brazilian. Why is it such a system? There is a constitutional and infra-constitutional framework which poses a strong presidentialism and highly personalized representation. Combined, these two features create stimulus for alienated and parochially-devoted members, who paradoxically seem to bear interest in other than local issues. Section three details the indicators used in this paper. Section four displays the main findings, which contradict the

assertions on behalf of an abdication system in Brazil, as far as foreign affairs are concerned. Though there are incentives for abdication of power and members can indeed be very parochial in some instances (e.g, at the budget amendment arena), some degree of involvement in foreign affairs persists. Final section concludes.

II. Institutional Constraints to a Broader Role of Congress on Foreign Affairs

When referring to Brazilian Congress, two main questions have to be addressed in the first place. They concern the institutional constraints – consequently, the incentives – that affect members of Congress’s performances and, therefore, any political and policy results. The first set of incentives relates to *Executive-Legislative relations* in Brazil. It is a well-known fact that the Brazilian institutional design has a *pro-executive bias*. That means Constitution prerogatives favour the president and the executive branch in any given issue, but especially those related to foreign affairs. In fact, the presidency has great leverage on international-related issues. Article 49 of Brazil’s 1988 Constitution invests Congress with the power to decide upon “treaties, agreements or international acts that entail obligations or commitments grievous to the national patrimony”, but this is done only *ex post facto*: article 84 states the president will first sign them; afterwards, they will be “subject to the approval of Congress” (Maia and Cesar, 2004). An obvious consequence is that Congress has a more of a ratifying role, decisions are centralized and insulated in agencies and ministries, where the usual “turf wars” (jurisdiction turf) happens among agencies that hold different visions – nonetheless, with considerable permeability to various interests (Lima and Santos, 1998). Anyway, decision-making happens out of Congress’ sight.

On the other hand, besides having broader prerogatives, the presidency enjoys the power of issuing decrees, a strong agenda control of Congress’s calendar (through the use of urgency calls), benefits from a centralized agenda setting in Congress, driven by leaders and the speaker, and also holds informational advantages and expertise (Samuels, 2003; Figueiredo, 1999 and 2000). As a result, scholars have classified the Brazilian system as one that holds a proactive presidency and a reactive assembly, with most members alienated from the process (Cox and Morgenstern 2001). In other words, it is naturally expected that *policy-making will be performed within the Executive branch*, with few interferences from Congress and lots of discretion.

Indeed, the Ministry of Foreign Relations, the Itamaraty, has enjoyed bureaucratic insulation in formulating foreign policy, although with democratization after 1985 other domestic actors came to aggregate preferences, as business groups, non-governmental organizations and social movements with transnational links, sub-national political units, and politicians. Also, in the last decade, Itamaraty has seen more competition from other governmental agencies and ministries, which try to pursue their own agenda, not always in line with the preferences of the former (Lima, 2009; Marques, 2004). Nevertheless, the craft of the foreign policy is still strongly in the hands of the executive branch, either through the Ministry of Foreign Affairs or, more recently, through the *Assessoria Internacional* (International Staff) of the president himself (Lima, 2009).

The second set of incentives relates to the *electoral arena* and its consequences for legislative output. From this perspective, the Brazilian institutional design, as many other systems, brings no incentives for member's involvement with international issues. Brazil has a highly competitive political system, both among and inside parties, due to an open-list proportional system with huge magnitude, which also brings out problems of vertical accountability. Indeed, Carey e Shugart (1995) have pointed that Brazil has the highest personal vote index in the world – meaning that individuals are more important than parties for electoral purposes. The result is expensive campaigns and personalized mandates (Ames, 1995; Samuels, 2001). Because incentives are of a non-partisan and highly individualistic nature, it is expected that *congress members will focus effort, time and energy on local-oriented activities rather than building expertise on foreign relations issues*. Focus on foreign affairs would only have a chance to come up if there were a special interest of his/ her constituencies – on e.g. borders, environment (as it is the case for the Green Party, but not exclusively), economic matters etc.

In spite of these expectations – of insulation and isolation -, many studies have shown that members can demonstrate some degree of interest or involvement in other issues than localities. Some studies indicate that members of Congress propose a majority of bills looking for national interest, specially regulations, rather than locally-oriented bills (Lemos, 2001; Ricci, 2003; Santos e Amorim Neto e Santos, 2003), refuting previsions that all legislative output would be parochial. Nevertheless, it seems intuitive to affirm that national-oriented policies (e.g. an education national policy) are more relevant to electoral purposes than international ones (e.g. building expertise on nuclear power). It would be just reasonable to expect that the very nature of legislative recruitment would affect negatively the interest and output in international-related issues in Congress. But is this actually the case? From what has been written about the Brazilian Congress, it seems predictable that it does not show interest in providing relevant legislation on foreign affairs, because a) it lacks formal prerogatives; b) their decisions are usually centralized in the hands of the speaker, the party leaders and committee chairmen, leaving most members apart from the decision-making; c) the electoral incentives are pro-parochial. But how deterministic are these features? They do point to a system where delegation would reign, but not necessarily abdication.

Following this question, a more interesting one would be what the actual performance of Congress on international issues is like, looking at different indicators, and how it has evolved over the past two decades, under democratic rule. Of course the two institutional sets pointed earlier affect the motivations and leverage of members on foreign affairs. But, as said before, they need not to be completely deterministic. It is fundamental to investigate so as to derive conclusions on Congress's behaviour.

III. Indicators Used

For the purpose of assessing the actual position and role of Congress over time, as far international issues are concerned, I put together five indicators:

- a) *the perceptions of congress members on chosen international issues*, extracted from The IUPERJ-Oxford Legislative Survey (*Pesquisa Legislativa IUPERJ-Oxford*, or PLIO 2009), a survey conducted between March and July of 2009 on how Brazilian federal legislative members assess Brazilian Governance

(Power and Zucco, 2009). It is the sixth wave of a longitudinal project initiated in 1990, and addresses a broad set of issues on both internal and external policies (ideology, legislative activity, institutional design, social policy, state reform, and foreign policy, among other). It is composed of a total of 136 questionnaires, out of 594 members (81 Senators and 513 federal deputies). The question on foreign affairs was structured as follows. “The current orientation of the Brazilian foreign policy prioritizes relations with South America. Using the same codes above (*strongly agree, somewhat agree, somewhat disagree, strongly disagree*), how do you agree or disagree with the following assertions: a) Many of the current South American governments are allied in the fight against neoliberalism and should be supported; b) Regional integration is an efficient way of stimulating the economic development of the country; c) Leadership in the regional integration process will project Brazil in the world stage; d) Association with some of the South American countries harms Brazil’s image, due to the authoritarian inclination of their governments; e) It would be economically more profitable to Brazil to strengthen relations with OCDE countries than with neighbouring countries.”

- b) *legislative output on international agreements*: these are data on the 725 approved international acts debated in Congress from October 1988 through December, 2006, out of 812 submitted bills (Diniz and Ribeiro, 2008). 89% of treaties and agreements were approved in Congress, and only 2% were rejected or withdrawn by the president². It shows that, even though the legislature choices are to either approve, partially approve or reject a presidential message that carries a treaty or agreement, there are different timings and different levels of participation of the Congress in the process;
- c) *committee output*: legislative action can also be measured in the permanent committee activities, where a workload of processing policies happen. I bring the number of meetings held by Senate permanent committees in the 1990’s. They show that IR related issues are as important as domestic issues in the upper chamber, if we consider time dedicated to general legislative action in the committees;
- d) *budget output*: though international relations might not be the central interest of parochial members of Congress, I believe their interest is on rise. One way of showing this is how they behave collectively – at the committee stage – on granting more resources to defence and foreign affairs issues. I picked up the variation of collective amendments presented at the Foreign Relations and National Defence Committees from both chambers over the last 20 years, so as to identify patterns of which key areas members believe ought to receive more resources from the Legislature. I should explain beforehand that during the debate on the budget law, every year, each committee can present up to five collective amendments to the agencies/ ministries under their jurisdiction. They are not mandatory, but only an authorization for the president, who has the legitimate authority to sign it or veto it after the Congress stage, as well as to withhold resources after signing them. These collective amendments are not exclusive from individual ones, which are generally very parochial and presented at other instances in the process (Pereira and Mueller, 2004). Each member presents his/ her individual priorities before the committee and they negotiate together the final five that will be included in the general bill. Data on committee budget allocation points to a growing interest of members of the

- committee in providing adequate resources to the jurisdiction agencies, with an emphasis in the last years on defence;
- e) *Oversight* – two indicators are used here.
 - i. The first one regards the *nomination process* of heads of diplomatic missions, which takes place in the Senate, due to its constitutional prerogative. Data shows that their processes are not approved as fast as central bankers and ministers of higher courts. On the contrary, their nominations are the ones that take longer averages to get to final agreement (Lemos and Llanos, 2007).
 - ii. The second one regards the *hearings* conducted by both chambers from 1988-2004 (Lemos, 2007). This indicator answer two questions: how much oversight of international relations issues are conducted and how do they compare to oversight on other issues. Again, data reinforces a surprisingly high involvement with foreign affairs, if compared to selected domestic issues.

By putting together these information on perceptions, legislative, budget and oversight output, I hope to provide a clearer picture on Congress behaviour on international matters.

IV. Data Displayed

As described in the previous section, the first indicator refers to members' opinions on selected issues related to foreign affairs. I took from the questionnaire the five questions that addressed International Relations. They relate to support to antineoliberal neighbour governments, regional integration, the quality of the democracy in neighbouring countries, and preference over partners for integrations (table 1).

The variety of answers gives a picture of the heterogeneity of preferences within Congress. It tells us a couple of things: most members strongly believe that regional integration helps to enhance economic development (64%), and that leading regional integration projects Brazil globally (54%). These percentages are even higher if those who answered "somewhat agree" are considered: 88% in both cases. These data can also be read on reverse, in a less optimistic way: the majority is not a large one – it is in the 50 and 60's percentiles -, and thus point that Congressional elites are in a good deal hesitant (not to say resistant) about opening and integrating globally. Adding to that, Brazilian Congress is still stuck with geographical preferences - or maybe ideological ones – for promoting integration: OECD countries are not considered a good alternative for integration if compared to neighbours, in spite of all difficulties or regional integration in the South Cone: only 3% strongly agree it would be better to integrate with OECD countries, and 31% is the percentage of those who strongly or somewhat agree OECD is a better option.

Table 1 – Perceptions of Members of Congress on Selected Foreign Affairs Issues, 2009 (%)*

Questions	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Agree	NA	Total
Support Antineoliberal Neighbour govts	13.24%	32.35%	19.12%	27.21%	8.0	100%
Regional Integration Helps Economic Development	63.97%	23.53%	2.21%	3.68%	5.8	100%
Leading Regional Integration Projects Brazil Globally	54.41%	33.82%	2.21%	2.94%	6.6	100%
Brazil Tarnished by Neighboring Autocrats	17.65%	30.15%	27.21%	19.12%	5.8	100%
Better to Engage with OECD than with neighbors	2.94%	27.94%	46.32%	15.44%	7.3	100%

Source: Power and Zucco 009 (PLIO)

*N= 136

On regional politics, Congress is quite divided. About 46% of members declare Brazil should support “antineoliberal neighbour governments”, whereas other 46% disagree in some level of this support. The same can be said about the assessment of Brazilian members of Congress about how democrat/ authoritarians are the neighbouring governments: 48% would say Brazil is tarnished by neighbouring autocrats, and 46% would disagree with that statement.

This heterogeneity of perceptions may lead to gridlock and to no position taking in a series of issues. The recent gridlocks on the voting for Venezuela to integrate Mercosur, as well as the Senate Resolution condemning the occupation of the Brazilian Embassy in Honduras are good examples of how divided Congress is in those issues³. That can also be a reason why congress members delegate powers to the executive branch: not only because of constitutional design or information asymmetry, but because it is strategic, or the only way decisions can be made in such a complex setting. This kind of delegation is strategic rather than naïve, because members do have to manage great complexity and delegating solves the problem of gathering information, bargaining and leave them to pursue their best interest – reelection.

The second indicator shows the voting of treaties and agreements from 1988 through 2006. Treaties and agreements are sent to Congress through presidential messages that once in the floor become Legislative Decree Bills (PDLs). Data in table pave way to a number of conclusions. Firstly, it shows that other committees than the standing committees on National Defence and International Relations (CRE) also participate in the processing of foreign policies bills, and do not hold a marginal role. In other words, legislation debate is more decentralized than it is formally supposed to be, in terms of the division of labour among committees⁴. This might be a game between the parties that control each House for more influence over results, though the gathered information here does not allow for conclusions.

Secondly, there is a great level of cooperation from the legislatures, demonstrated through the centralization of decision-making through leaders’ urgency measures and priority measures, what makes up an interesting paradox with the committee

decentralization pointed above. Though relevant, they don't outnumber the bills that follow the ordinary path and are negotiated in the regular fashion. Thirdly and more importantly, some bills may be approved with reservations, which means partial approval with conditionalities. It does not show a Congress that has abdicated its role, but on the contrary, one that participates in the debate with different levels of cooperation, even if this participation takes place *ex post*, or just at the ratifying stage.

Table 2 – Approval of PDLs and decision making forums, 1988-2006, Chamber of Deputies

Deliberative forums	Reservations	Ordinary	Priority	Urgency	Urgency (leaders)
CRE	6	498	183	8	39
Other committees	43	244	-	265	219

Source: Diniz and Ribeiro, 2008.

Legislative output can also be measured inside the committee system. Both chambers have a National Defence and Foreign Affairs Committee, whose jurisdiction lay on reporting and approving the treaties and agreements before they come to the floor; conducting hearings on any related issue; debating on the budget of National Defence and Itamaraty, the Foreign Affairs Ministry, among others. Tables 3 brings an idea of how permanent committees in the Senate deal quantitatively with the demands in internationally related affairs as compared to demands in other areas. They show the number of meetings conducted in the system during the 90's⁵. The interesting point is that a hierarchy comes up, where the Economic Issues Committee and the Constitution and Justice Committee prevail, but Foreign Affairs are not lagging behind other issues on the social sphere – truly, it has held 12% of the meetings in the decade, compared to 14% of the Social Issues Committee, 12% of the Education Committee and 7% of the Infrastructure Committee. Of course these findings cannot be generalized, because they only show the Senate and are limited on time. But they can indeed show international issues are not irrelevant.

Table 3 – Number of Meetings of the Senate Permanent Committees in the 90's (n%)

Committee	Number of Meetings	As % of Total
Economics	318	28%
Constitution and Justice	269	24%
Social Issues	163	14%
National Defence and Foreign Affairs	139	12%
Education	135	12%
Infrastructure	83	7%
Control	38	3%
Total	1145	100%

Source: Lemos, 2006.

A fourth important indicator is how members of Congress allocate resources to the foreign affairs jurisdiction. By late December every year, Congress has to approve the budget bill sent by the Executive branch in August. Congress can and do amend the

presidential initiative, although these changes are not mandatory – they have an “authorization” character. The president has strong instruments to control members’ participation and they do not represent, in the aggregate, large amounts of resources as amendments. Also, these budget amendments are parochial in essence, as they play a role in bringing concentrated benefits to local constituencies (Pereira and Mueller, 2004; Limongi and Figueiredo, 2008). Nevertheless, budget amending can also have a collective character: the state caucus (*bancadas estaduais*) and the committee may propose group amendments. Each committee can propose up to five amendments to the agencies under their jurisdictions. In practice, these amendments are extra resources for the assigned beneficiaries. Table 4 shows the total value of resources approved in each National Defence and Foreign Affairs committee per year, since 1993. Numbers for 1998-1992 period were not available, and from 1993-1995 no amendment to the budget was proposed by neither committees. From 1996 on, we can observe that not only amendments became frequent, but also that they have had significant increases in both houses, though the Senate is even more proactive in providing resources. Content-wise, they were basically, from 1996 through 1999, resources allocated to Itamaraty (Foreign Affairs Ministry) and to consular activities; from 1999 on, they have become more and more devoted to the armed forces. I believe this is an important indicator that, although Congress members may be essentially parochial due to the institutional constraints they face, they are not completely alienated from foreign affairs issues.

Table 4 – National Defence and International Relations Committee Budget Amendments, 1989-2009 (real)

	Chamber of Deputies	Senate	Total
1993	0.00	0.00	0.00
1994	0	0	0
1995	0	0	0
1996	10,850,000	11,700,000	22,550,000
1997	5,340,000	5,765,000	11,105,000
1998	0	1,500,000	1,500,000
1999	0	11,800,000	11,800,000
2000	3,600,000	31,000,000	34,600,000
2001	57,000,000	60,250,000	117,250,000
2002	82,461,911	114,870,000	197,331,911
2003	55,383,019	93,498,441	148,881,460
2004	15,927,888	19,245,616	35,173,504
2005	60,156,000	22,068,000	82,224,000
2006	162,340,648	289,934,672	452,275,320
2007	236,497,953	179,222,889	415,720,842
2008	44,597,000	34,000,000	78,597,000
2009	126,000,000	99,000,000	225,000,000
Total	860,154,419	973,854,618	1,834,009,037

Source: Budget Committee, Federal Senate, 2009. Special thanks to the budget analyst Fernando Bittencourt, for providing assistance with data.

The last set of indicators concerns Congress oversight and refers to time Congress spend in approving diplomatic authorities (table 5) and the hearings conducted in the committees (table 6). The Senate has the constitutional prerogative of approving nominated heads of missions abroad – senior diplomats – for the embassies and

international institutions. This data comprise all nominations from 1988 through 2003, and there is not much variation that should be stressed – the pattern is very much longer times for ambassadors to be approved, pointing that changes of committee chairmanship in the Senate (and thus of party alternation) do not have a strong impact over the approval time of nominees.

On this issue, it is clear that from all authorities, ambassadors are not the ones who get the most attention from the Senate, when it comes to time devoted to their approval – their processes take an average of 76 days, compared to 19 days for Supreme Court ministers and 17 days for central bankers. The percentage of approval is very high, about 97%, not different from other congresses (Lemos and Llanos, 2007). Nevertheless, the reading of this data can be misleading. It might be read as a sign of indifference from the legislature, the length of time representing they prioritize other more urgent issues; or as a sign of deep disagreement, the length of time translating then the efforts and time consumed in building some consensus over the nominees.

Because I believe the main turf on the choices of names happens beforehand, inside the Itamaraty, and not in the Congress, I interpret this as a sign that approving ambassadors is not considered as fundamental as approving other top authorities, and it is not a priority to the Senate, though it is a way of getting information about how Brazil has performed in bilateral relations during the hearings held. Though this would point to a scenario where foreign affairs would be played down, it also demonstrates that also for constitutional reasons, Congress is tied to international issues and has to consider them regularly in their schedule.

Table 5 – Average Time for Authorities’ Approvals in the Brazilian Senate, 1988-2003 (days)

Officials	Process length (days)
Military	-
Ministers and Judges of Higher Courts	36.7
Ambassadors/ Diplomats	75.6
Central Bank Presidents and Directors	16.9
Supreme Court	19
Public Ministry	15

Source: Lemos and Llanos, 2007.

As for hearings – either conducted to provide information to members so they can build more informed decisions on bills, or the follow up of policies implemented by the executive branch –, about 120 of circa 1500 hearings performed from 1998 to 2004 were foreign affairs or security related. It is not exactly a remarkable absolute percentage (8%), but if we compare throughout the issues, it is certainly not irrelevant: housing had 1,20% of the hearings, pensions 1,20%, land reform 2,7% and education 9,3%. Besides, other issues – as agriculture, science and technology, health, environment and economics – will probably have some connection to a global agenda, but we cannot see from these aggregate data which ones are internationally-oriented. That would add up the number of foreign affairs related issues.

Table 6 – Hearings Conducted by Chamber of Deputies and Federal Senate by Issue, 1988-2004*

	Chamber of Deputies	% of total	Senate	% total	Total	% total
Missing	5	0.33	10	0.67	15	1.00
Pension System	8	0.54	9	0.60	17	1.14
Housing	10	0.67	8	0.54	18	1.20
Indigenous peoples	16	1.07	3	0.20	19	1.27
Welfare	15	1.00	18	1.20	33	2.21
Judiciary	5	0.33	31	2.07	36	2.41
Agrarian (land reform)	32	2.14	5	0.33	37	2.47
Science and Technology*	20	1.34	21	1.40	41	2.74
Defense*	22	1.47	22	1.47	44	2.94
Public management	28	1.87	20	1.34	48	3.21
Public Security (national)	40	2.68	11	0.74	51	3.41
Industry	42	2.81	11	0.74	53	3.55
Labour	37	2.47	16	1.07	53	3.55
Civil rights	49	3.28	7	0.47	56	3.75
Foreign Affairs*	31	2.07	44	2.94	75	5.02
Agriculture*	69	4.62	8	0.54	77	5.15
Environment*	62	4.15	17	1.14	79	5.28
Education	57	3.81	82	5.48	139	9.30
Health*	88	5.89	51	3.41	139	9.30
Infrastructure	116	7.76	80	5.35	196	13.11
Economics*	113	7.56	156	10.43	269	17.99
Total	865	57.86	630	42.14	1495	100.00

Source: Lemos, 2007.

*Chamber: 1995-2004; Senate: 1988-2004.

V. Final Remarks

This paper is about assessing the level of involvement of the Brazilian Congress with foreign affairs, so as to indicate it is not an abdication of powers system, but one based on delegation. In the first place, I addressed the constitutional design of the Brazilian political system, which clearly militates against a more proactive role for the Congress – it is parochial in nature, as usually congresses are, though also with some partisanship and predictability (Figueiredo and Limongi, 2008). We are not putting aside historically given conditions or presidential styles. But whoever is in power, and whatever the political heritage, the institutional constraints are there to make it difficult for Congress to look at international issues⁶. Furthermore, incentives set by the electoral system produce a highly personalized representation. Having that in mind, I have proposed to look at alternative indicators which reflect the involvement of Congress with international affairs and assess its actual role and how it has evolved over time.

Legislative output shows that members do disagree with the executive branch on treaties and agreements, although their cooperation is more salient. Also, they are

involved in reporting bills and meeting for debating at least as frequently as for other domestic issues. Foreign Affairs is just another good in the basket: Congress does not play a more relevant and proactive role also in domestic politics, due to the same above mentioned constraints. Adding to that, budget allocation also demonstrates some level of interest in international affairs. Most importantly, it shows a change of behaviour in the mid-90's, when members started to allocate extra resources to Itamaraty and then, more strongly, to the armed forces. Hearings data clarify how often members of Congress meet up for informing themselves – and therefore trying to solve the informational disadvantage problem - or overseeing executive's policies on international relations. It is impressive the number of hearings, not in absolute terms - as only 8% of hearings conducted are straightforwardly connected to the area – but in relative ones, if we compare to domestic issues hearings and the frequency of their oversight.

Internal bicameral variances also appear, as the budget allocation and hearings demonstrate, with the Senate showing a keener interest on international issues than the House. But this might be a result of the Senate having less electoral constraint, as elections run only every eight years (as opposed to the Chamber every four years elections), and also because of its composition: it has more senior politicians, with broad experience in former mandate jobs either in the legislative or the executive (Lemos and Ranincheski, 2003). As senior members, some might be more devoted to issues that are not directly connected to their constituencies and still not loose support on the ground.

Overall, it seems that in the narrow instances and squeezed in the middle of parochial demands and activities, members of Congress do show some level of involvement. Is it at the individual level only, with some “foreign affairs” champions? It might be so. But we should remember that one of the functions of the internal division of labour in Congress is to facilitate expertise and information flow, and there are high opportunity costs for those who search for greater complexity – that is why preference outliers are welcomed (Khrebiel, 1991). This is true not only for international issues, but any issue at all – and that is what leaves room for each member to pursue what is best to its representation role and, most importantly, for pursuing re-election (Mayhew, 1974). Congress is not strongly involved with international affairs, but it is somewhat involved, and there is room, as global agendas are more and more salient, to expand this role.

On the other hand, it is true that the Senate takes longer time to approve ambassadors than it takes approving other authorities, showing this is not an agenda priority, as well as playing what some may call “rubber-stamping role”, due to the very high percentage of nominees approved. If it is true that high time average shows some disregard to international issues – or alternatively high contentious nominees, one can counter-balance this argument saying that central bankers – far more important for international agents than ambassadors, because of their prerogatives in managing macroeconomic policies – are approved in less than two weeks, showing members do care about the impact bad choices, or slow choices, might hurt the countries' economic prospects.

Finally, member's declared perceptions demonstrate how divided Congress is. Maybe one should not even talk about how “Congress” reacts, as if there was one

homogeneous body, but how different groups organize themselves around an agenda – and this maybe be a very open or a very narrow one. The key feature to emphasize here is that such a divide can produce conflict, and as members become more aware of foreign affairs issues, there will be more room for gridlocks, and no decisions at all taking place. That may be a reason why congresses delegate powers to the executive: in a sense, because consensus are hard to build and members would rather let the bargaining costs bear on the president and his support coalition than take it in hands, competing with all demands that flourish from both local and national level constituencies⁷.

Lima and Santos (1998) stressed that Brazilian Congress has moved from a delegating role, in the 50's and early 60's, to subjection to the executive monopoly during the military regime, and an abdicative role in the 90's. Though I agree with the normative prospect that a new pact⁸ with a more powerful legislature could bring more credibility at the international level, more stability to the decisions and more bargaining power to agents in the negotiation forums, I disagree in that there is a complete abdication towards the executive branch. By approaching the problem from a different perspective – looking at actual involvement in different legislative arenas – the affirmation that Brazilian Congress abdicates its functions is too strong and does not reflect reality. It might be true Brazilian members are less powerful as policy makers in any issue, even if domestic policy is considered – and this corresponds to the delegation level-, but they do have and use some instruments at their hands to reach out for the agencies to get information and to scrutinize. Besides, if it is true that the executive branch makes the policies and promotes agreements, it is also true that it cannot pursue it without Congress, which holds a veto power. This conclusion matches other studies that have called the attention to the fact that Legislative is not a mere spectator, but rather somewhat participates in the formulating process (Neves, 2003; Maia and César, 2004; Diniz, 2009; Diniz and Ribeiro, 2008).

The last twenty years were a great challenge because of both the regime change and the new relevance of a whole set of policies, that goes from changes in the economic model (the overcome of an import-substitution one for a more open and trade-friendly) to environmental protection. But foreign affairs issues and a global agenda have still to struggle with the same national and local demands congressmen face, and that is where their challenge lies ahead.

¹ A first version of this paper was presented at the workshop 'Brazil as a Global Power: Ideas, Interests and Institutions', at Nuffield College, Oxford, 16th October 2009.

² The other 9% correspond to bills still in the schedule.

³ As for the Venezuelan case, the agreement concerning the integration of Venezuela in the Mercosur took one entire year only in the Senate to be approved (date of approval, 17/dez/2009). As for the Honduras case, the resolution approved was Senate Resolution Number 1.276 of 2009, from the Defence and Foreign Affairs Committee.

⁴ Senate statutory rules states that treaties and agreements ought to be debated in the Defence and Foreign Affairs Committee. Nevertheless, the Speaker has the discretion to assign a second or a third one, once the subject of the bill is related to other committees' jurisdictions.

⁵ Elsewhere, I have also demonstrated through the number of bills approved in each committee that the Defence and Foreign Affairs Committee in the Senate ranked highest in having approved reports in the committee considered in the floor (88%). Cf. Lemos, 2006.

⁶ We must remind that the present Congress – pos-1988 Constitution – is resuming activities that were drastically curtailed during the military regime of 1964-1986.

⁷ For a discussion on the dilemmas collective bodies face, cf. Olson (1965)

⁸ Reforms have been proposed towards a more participative model of legislature. Cf. Maia and Cesar, 2004.

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