

Hiroi, Taeko; Renno, Lucio R.

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Meaning of time: Legislative duration in the Brazilian Congress

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**MEANING OF TIME: LEGISLATIVE
DURATION IN THE BRAZILIAN CONGRESS**

**Taeko Hiroi
Lucio Renno**

DISCUSSION PAPER



MEANING OF TIME: LEGISLATIVE DURATION IN THE BRAZILIAN CONGRESS

Taeko Hiroi¹
Lucio Renno²

¹ The University of Texas at El Paso.

² Universidade de Brasília (UnB).

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ABSTRACT

The study provides descriptive data on durations, attributes, and parliamentary activities in legislative processes at the level of individual law proposals. It examines all government proposals submitted to the Brazilian Congress between October 1988 and December 2012, tracing their legislative processes until the fall of 2015. The analysis revealed that legislators' activism to influence the content and outcome of policy proposals can account for much of the delays in the legislative process. However, substantial amounts of time also lapse without accompanying content-influencing legislative activism. Extensive procedural votes that occur in the Brazilian Congress suggest that legislative obstruction associated with political conflict between presidents and their own legislative coalitions and one between the government and opposition significantly contribute to legislative delay. Hence, political conflict is as important a source as policy disagreement in accounting for legislative delay.

Keywords: legislative duration; obstructionism; coalition presidentialism; Brazilian Congress.

Significado do Tempo: Duração legislativa no Congresso Nacional

SINOPSE

O estudo fornece dados descritivos sobre durações, atributos e atividades parlamentares em processos legislativos ao nível de proposições de lei individuais. Examinam-se todas as propostas do governo submetidas ao Congresso Nacional entre outubro de 1988 e dezembro de 2012, acompanhando-se seus processos legislativos até outubro de 2015. A análise revelou que o ativismo dos legisladores para influenciar o conteúdo e o resultado das proposições pode representar grande parte do atraso do processo legislativo. No entanto, quantidades substanciais de tempo também passam sem que se que haja ativismo legislativo para se influenciar o conteúdo da proposição. O número elevado de votações procedimentais que ocorrem no Congresso brasileiro sugere que obstrução legislativa associada ao conflito político entre presidentes e suas próprias coalizões legislativas, de um lado, e entre o governo e a oposição, de outro, contribui significativamente para o atraso legislativo. Portanto, o conflito político é uma fonte tão importante quanto o desacordo político na contabilização do atraso legislativo.

Palavras-chave: duração legislativa; obstrucionismo; presidencialismo de coalizão; Congresso Nacional

1 INTRODUCTION

The processing of bills takes time. Whereas some legislative proposals are swiftly approved or rejected, spending little time in Congress, others linger on indefinitely. Nevertheless, we know little about what the passage of time represents in the legislative process. Among the limited studies that do exist, duration is frowned upon in the literature, as it represents delay and non-decision, i.e., gridlock (Binder, 2003; Hiroi, 2008; Hiroi and Renno, 2014a). However, duration may represent the maturation of ideas, the construction of consensus, and the improvement of bills' content through extended debate (Chaisty, 2014). The passage of time may also reflect parliamentary scrutiny of government proposals to enforce the coalitional bargain and to overcome the potential problem of delegation (Martin and Vanberg, 2004). While there may be various causes of legislative speed, analysis of legislative durations has been hindered by the absence of data that detail legislative activities and durations in distinct stages of legislative processes.

Given the insufficient knowledge about what the passage of time means for a bill, in this paper we provide descriptive data on durations, attributes, and parliamentary activities in legislative processes at the level of individual proposals. We examine executive proposals considered by the Brazilian Congress since the promulgation of the 1988 Constitution and seek to disentangle when duration means legislative activism, when it is related to political conflict, and when it only represents inertia in Brazil's multiparty coalitional presidential system. Our analysis indicates substantial activities in both content-influencing legislative activism and politically motivated obstructionism. Hence, political conflict is as important a source as policy disagreement in accounting for legislative delay.

This study contributes to legislative research in several ways. Most notably, the detailed analysis of durations and legislative activities in this paper provides a better understanding of what time means in the legislative process. By examining a hitherto untapped area with rich data, it opens up new venues for rigorous analyses of legislative durations and gridlock.

2 CAUSES OF LEGISLATIVE DELAY IN COALITIONAL PRESIDENTIALISM

In coalitional presidential systems, presidents' coalition control and management are crucial for legislative success. Unlike parliamentary systems, in presidential systems, there is no need for minority presidents to assemble a majority coalition in the legislature for the

formation and survival of the government. Therefore, the primary reason for presidents to construct a coalitional government is to assure the smooth operation of the legislative process and advance the government's legislative agenda.

However, the choice of constructing a governing coalition adds layers of complexity in political negotiations: not only is intra-party coordination needed, as in single party governments, but also inter-party coordination within a coalition is vital if the coalition is to deliver what it is created for, i.e., legislative success (Hiroi and Renno, 2014a). Despite this objective, the task of coalition management is complicated given that the parties composing the coalition are potential rivals in future elections.

Therefore, in multiparty presidential systems, possibilities for legislative conflict abound. Conflict may result from divergent policy preferences among parties in the coalition, or may originate from disputes over the allocation of government resources. The ideological proximity among coalition parties may be an antidote for policy disagreements and may deter defections. Still, enforcing coalition discipline may require negotiations on proposal content and other incentives, such as resource sharing in the form of pork barrel allocation and political appointments. Existing studies have demonstrated that coalitions that are large, ideologically heterogeneous, and with unbalanced cabinets tend to be costlier to manage (Pereira, Bertholini and Raile, 2016). Furthermore, the ideal coalition size, over which additional seats are too costly for the government and fewer seats permit obstruction by opposition, is yet to be uncovered. In the Brazilian case, it seems to rover in an interval between 46 percent of the seats and 64 percent (Hiroi and Renno, 2014b).

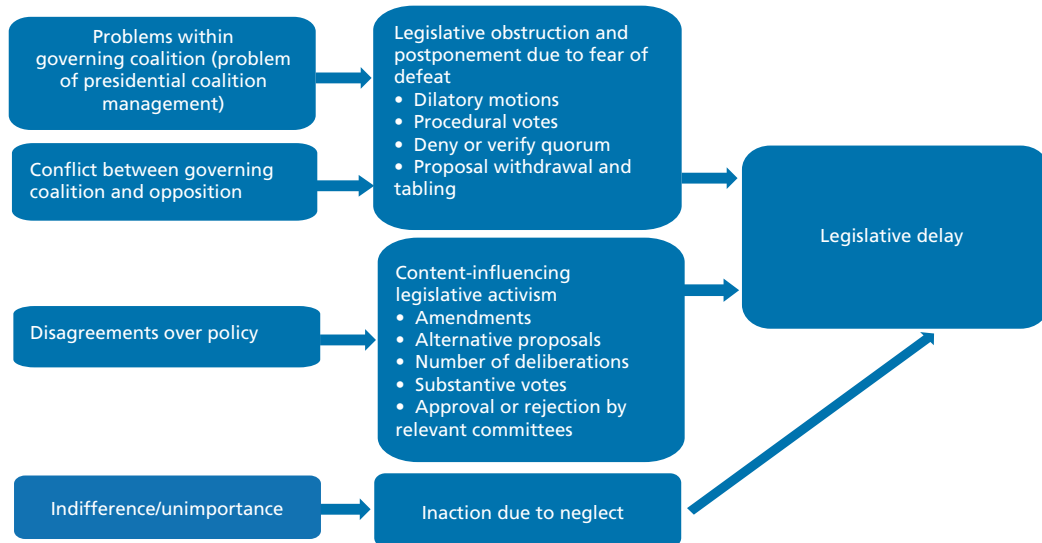
On the other hand, legislative input in the content of bills contributes to the maturation of proposed legislation in legislative processes. Congressional review of executive proposals can bring those bills closer to the median voter in Congress, particularly when majority control is lost (Calvo and Sagarzazu, 2016). Congressional scrutiny may also adjust the content of a bill to better meet societal demands by incorporating new information. Extended debate can be seen as a moment of building common ground and a shared understanding of bills' implications. Parliamentary review of executive proposals is indeed at the heart of representative democracy.

The dynamic aspects of negotiating support for or opposing government's legislative proposals do not only take place at the final stage of floor voting, but throughout

the entire course of legislative sequence, including in committees, at scheduling of bills, and during plenary discussions. Content review through amending, obstruction, and postponement of decisions signify legislative negotiations and conflict, all increasing the duration of the legislative process.

This study considers the many distinct facets of executive-legislative relations as it models the meaning of time in the legislative process in coalitional presidential systems. Figure 1 illustrates the varying mechanisms of legislative delay in coalitional presidential systems. Three sources of legislative delay are identified: (1) political conflict; (2) policy disagreement; and (3) indifference.

FIGURE 1
Causes of legislative delay in coalitional presidential systems



Elaborated by the authors.

The first two conflicts in the figure—coalition management problem and government-opposition divide—refer to political conflicts that are primarily generated by political disputes and competition over office allocations, government resources, and electoral competition and rivalries. Effective coalition management by presidents affects the duration of the legislative process by diminishing political conflict within the governing coalition. When the partners in the governing coalition are not satisfied with, for example, how government resources are distributed, they may use the legislative

arena to signal their disgruntlement by engaging in obstructionist tactics to impede the president's legislative agenda (Hiroi and Renno, 2014a; 2014b). Discontent with political appointments in the upper echelons of the bureaucracy, for instance, may generate legislative paralysis. Uncertainty about legislative approval and fear of legislative defeat may in turn prompt presidents and their legislative allies to postpone the deliberation of the bill of the government's interest.

Legislative obstruction is also a tactic employed frequently by the opposition. In the U.S. two party system, filibustering, or the right to unlimited debate that the U.S. senators can exercise to impede legislative action, is a major dilatory tactic used by opposition senators (e.g., Binder and Smith, 1997; Binder, Lawrence, and Smith, 2002; Overby and Bell, 2004). Although in multiparty coalitional presidential systems, the line between the government and the opposition may not be as clear as that in two party systems, government-opposition conflict can still stimulate opposition parties to obstruct the legislative process.

Whether staged by the partners within the governing coalition or by the opposition, legislative obstruction, if successful, suspends the deliberative process. In fact, many obstructionist tactics are employed not with the aim of changing or defeating a proposed policy—obstructors often know that their actions will not alter policy—but to accomplish other political goals (Patty, 2015).

Legislative obstructionism, which refers to the practice of deliberately blocking or delaying legislative action, can take various forms. In the U.S., minority senators possess an arsenal of tools of obstruction, which includes extended debate, submission of amendments, procedural motions, and verification of quorum, to name a few (Binder and Smith, 1997, 6). In Brazil, legislators and party leaders can request, for example, verification of quorum, removal of a bill from the order of the day, inversion of the sequence of bills to be examined, and separate votes on individual articles of a bill. Indeed, the use of dilatory tactics to slow and block the legislative process is on the rise in Brazil (Hiroi and Renno, 2014a; 2014b).

Another principle cause of legislative delay revolves around legislative activism by legislators aimed at influencing the content of legislation. Disagreements over specific proposed policy motivate this type of legislative activism. Legislative actors in Congress, including individual legislators, caucuses, committees, and parties, engage in actions

that intervene in the content of bills through extensive deliberations by relevant committees and by proposing and voting on amendments and alternative proposals. Certain policy areas generate greater controversies and disagreements regarding whether or not policy change is necessary, and if so, to what extent and in what directions those changes should occur. For example, social policy and political reform are areas that are likely to stimulate extensive legislative engagement by legislative actors seeking to influence the content and outcome of legislation. By contrast, policies pertaining to administrative matters and homage are less likely to engender strong responses from legislators. Content-influencing legislative activism causes longer deliberative duration, and possibly support, as the proposed policy matures during the legislative process.

Finally, prolonged legislative duration can result from neglect. Some proposals enjoy priority status and gain significant attention and expediting procedures. However, proposals that once were salient may become tabled and eventually forgotten as the attention of legislative actors shifts with changing priorities. Some bills never receive much interest and do not move far in the legislative process. Some other bills may encounter extensive legislative activism or obstructionism, only to be abandoned later. Hence, same bills can go through different causes of delay during their life cycles.

This section provided an analytic framework by identifying different sources of legislative delay. Deliberative processes can take long due to political conflict and obstruction, content-influencing legislative activism, or inertia. Completely different processes may generate similar or identical duration. Moreover, same proposals can experience different causes of legislative delay during their life cycles. The next section examines executive proposals, their durations, congressional actions, and outcomes in the Brazilian Congress. Our emphasis here is in describing these processes, relating duration to different underlying reasons. Future work will test these causal mechanisms. Such model should also include exogenous sources to explain the passage of time, such as presidential popularity.

3 DURATIONS OF LEGISLATIVE PROCESSES IN THE BRAZILIAN CONGRESS

Brazil is a multiparty presidential bicameral democracy with a president holding various constitutional legislative prerogatives to advance his or her legislative agenda. Brazilian presidents are indeed major actors in the legislative process. They have the power to propose executive decrees with the force of law, in addition to all sorts of legislative proposals and

constitutional amendments.¹ Brazilian presidents also possess partial and package veto powers.² Nonetheless, how powerful Brazilian presidents are in actuality in the legislative arena has been a matter of significant debate among students of Brazilian politics (Figueiredo and Limongi, 1999; Ames, 2001; Pereira, Power, and Rennó, 2005; Hiroi, 2008; Alemán and Tsebelis, 2016). The wide-ranging constitutional prerogatives, legislative rules that favor executive proposals, and the president's appointment and budgetary powers grant Brazilian presidents an arsenal of tools to move forward their legislative agendas. Yet, they face a fragmented Congress with many inchoate political parties. In recent years, the number of congressional parties has hovered around more than 20, with no party holding more than 20 percent of legislative seats in the lower chamber. To aid in governability, successive Brazilian presidents have constructed governing coalitions of various sizes and internal consistencies to secure legislative success.

This section explores, using an original dataset, all the legislative proposals submitted to the Brazilian Congress by the executive branch under the current 1988 Constitution.³ In effect, the dataset includes bills of ordinary law, bills of complementary law (which regulates constitutional provisions), and proposals for constitutional amendment. Between October 1988 and December 2012, 1,437 executive proposals were introduced to the Brazilian Congress.⁴ Our dataset traces the legislative processes of those proposals until the fall of 2015 (between August and October 2015). If proposals were still pending at that point, they were censored.

The Chamber of Deputies (the lower house, also referred to as Chamber in this paper) is constitutionally the initial house to consider all executive proposals. The Senate reviews executive proposals that were approved in the Chamber of Deputies. In the case of the lower chamber, all legislative proposals are referred first to the Constitution and Justice Committee, Finance and Tax Committee (when there are financial implications), and

1. The only exception is legislative decrees (*decreto legislativo*), which is an exclusive prerogative of the congress.

2. For an extensive discussion of the Brazilian legislative process, see Hiroi and Renno (2016).

3. It excludes proposals submitted by the Public Prosecutor's Office, which is technically a part of the executive branch. The dataset does not include presidential decrees called *medidas provisórias* (provisional measures) since they are not legislative bills. Presidents issue provisional measures, which go into effect immediately, and Congress need to decide to either accept, reject, or modify these decrees within a constitutionally specified deadline.

4. Proposal information was obtained from the Chamber of Deputies' Centro de Documentação e Informação (2012). We supplemented additional information using the Chamber's online proposal database. There were some errors and incompleteness in the summary portions of some proposals in the Chamber proposal data. For example, some committee proposals were classified as executive proposals in the summary. We fixed those problems in our dataset.

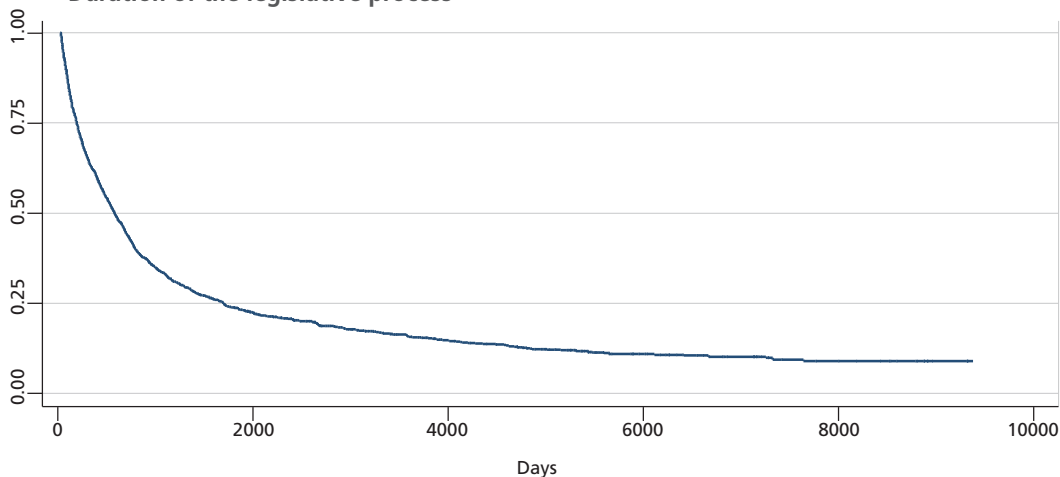
other relevant thematic committees. The Chamber creates a Special Committee when the number of relevant thematic committees exceeds three, or when they consider proposals for constitutional amendment. Some bills approved by all assigned committees are considered approved in the house when examined under an abbreviated process (called *poder conclusivo*, or conclusive power), and sent to the Senate for further examination. Other bills are discussed and voted on in plenary sessions on the floor. There are a number of legislative procedures that either expedite the process, for example, by dispensing committee deliberations, or slow the process, for instance, by removing bills from the order of the day. Executive proposals are not subject to an automatic termination at the end of a four-year legislative period. Thus, some proposals stay in Congress for prolonged periods of time.

Bills of ordinary and complementary laws require a concurrent approval of both houses, yet in the cases in which executive bills are amended by the Senate, the Chamber has a first chamber prerogative of deciding whether it will accept or reject the upper house's modifications.⁵ Constitutional amendments require approval in exactly the same language by both houses. Bills of ordinary law do not oblige roll call votes unless nominal votes are requested. On the other hand, bills of complementary law and constitutional amendment proposals require roll call votes. For an extensive discussion of the Brazilian legislative process, see Hiroi and Renno (2016).

Proposal duration in Congress varies significantly. Figure 2 presents a Kaplan-Meier survival estimate of executive proposal duration, which includes pending bills. As the figure shows, some executive proposals meet swift conclusion while others linger on indefinitely. The median duration of executive proposals is 547 days, but some stay in Congress as long as 9,754 days (and still pending as of this writing). Twenty five percent of the executive proposals have durations of 163 days or less. There are five proposals that entered and exited Congress on the same day (one due to passage, one due to termination given the approval of a similar proposal, and three due to withdrawal by presidents).

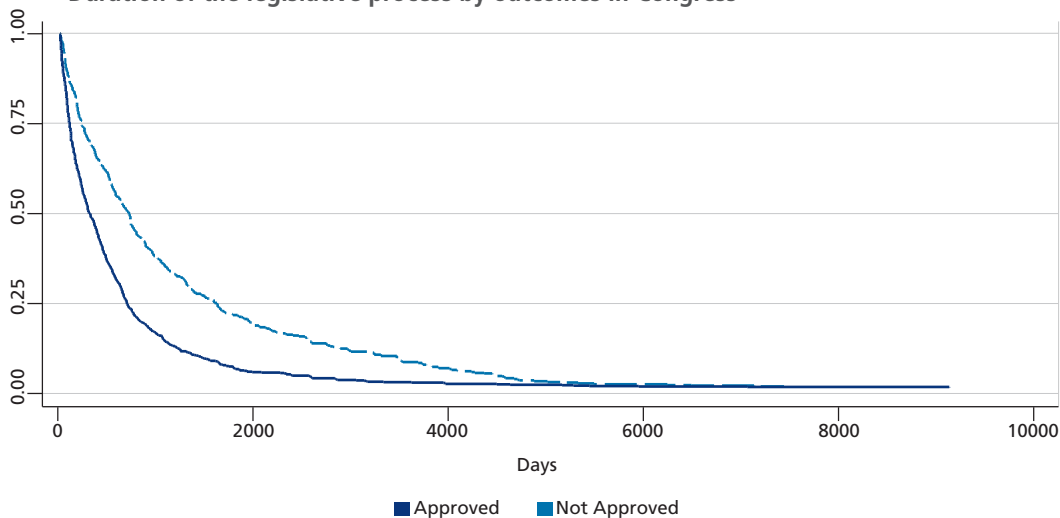
5. The Chamber can override Senate-approved but amended executive bills due to being the initial house to examine executive proposals.

FIGURE 2
Duration of the legislative process



Source: Brazilian Legislative Duration Dataset, constructed by the authors.
Obs: estimates include pending bills.

FIGURE 3
Duration of the legislative process by outcomes in Congress



Source: Brazilian Legislative Duration Dataset, constructed by the authors.

Figure 3 displays Kaplan-Meier survival functions for executive bills whose deliberations ended in Congress (save presidential vetoes), differentiating those that passed and those that did not. The approved bills in general spent less time in Congress, with the median time of 300 days. However, some proposals had significantly longer journeys in Congress (as long as 9,315 days) until their passage. The median duration of the non-approved bills is 703 days, more than double that of the approved bills.

Content-influencing legislative activism is expected to affect the duration of the legislative process, and its variation is likely to be related to policy areas. We classified the executive proposals into eight policy areas: administrative policy, codes and rights, economic policy, homage and tribute, budget and taxes, political and institutional reform, social policy, and foreign policy. See the appendix for the detailed descriptions of the classification scheme. We expect that policy areas that tend to be controversial or are of great concern to legislators and parties, such as social policy, political reform, and codes and rights, are associated with greater delay and non-decisions whereas areas that are less controversial or generally seen as being in the domain of the executive branch, such as creation of new ministries and bureaucratic positions, budgets, and foreign policy, tend to experience expeditious approval. Areas of policy that are of little interest to legislators when proposed by the executive branch, such as naming a bridge in honor of someone, may suffer from legislative inertia due to neglect.⁶

Table 1 presents survival estimates of the duration of the legislative process by proposed policy areas. The budget and tax policy, economic policy, and administrative policy on average exhibit the shortest durations, with the median durations of 334, 371, and 463 days, respectively. As expected, social, political-institutional, codes and rights, and homage and tribute areas indicate much slower processes, with the median durations of 639, 932, 820, and 946 days. Foreign policy's median duration is 494 days.

TABLE 1
Legislative duration (in days) by policy areas

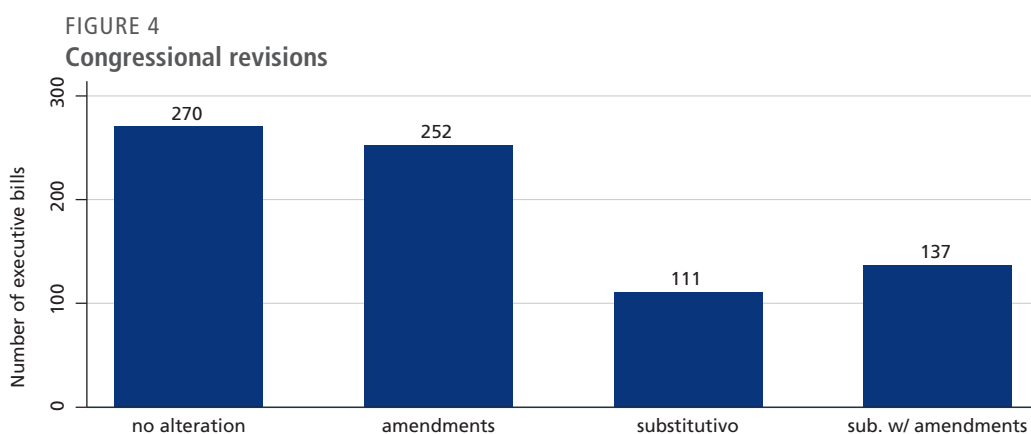
Policy	N	25p	50p	75p
Administrative Policy	624	136	463	1,315
Codes & Rights	157	418	820	3,684
Economic Policy	227	112	371	1,193
Homage & Tribute	21	697	946	1,958
Budget & Taxes	50	102	334	3,044
Political & Institutional	20	429	932	2,318
Social Policy	323	195	639	1,721
Foreign Policy	10	387	494	980

Source: Brazilian Legislative Duration Dataset, constructed by the authors.

Obs: The figures include pending bills but exclude the five proposals that were presented to and exited from the Congress on the same day.

6. Inertia in the areas of homage and tribute may result when such policies are proposed by the executive branch. On the contrary, when legislators propose bills in these areas, they may move the legislative process relatively quickly when bills proposed by legislators are considered. There are two reasons: i) those bills propose low-cost changes in the issue-areas that are of great interest to particular legislators, which may generate mutual support for such legislative initiatives among legislators (i.e., logrolling) with hardly any opposition from the executive branch; and ii) this type of bills is likely to be examined in an abbreviated process with the conclusive power of committees.

One way to infer content-altering legislative activism by the members of Congress involves examining the proportions of approved bills that received revisions in Congress, as shown in figure 4. Of the 770 approved executive proposals, only 270 proposals, or 35 percent, came out of Congress unscratched. All other executive bills were either amended or approved in the form of substituting proposals with or without amendments. This shows that the Brazilian Congress is not a passive rubber-stamping institution. Rather, even for the executive proposals that it approves, it is active in influencing and altering the content of legislation, and fully 65 percent of executive proposals in our dataset experienced delay of various durations due to proposal alteration by Congress.



Source: Brazilian Legislative Duration Dataset, constructed by the authors.
Obs: congress approved bills only.

4 CLOSER LOOK: LEGISLATIVE DELAY, OBSTRUCTION, AND ACTIVISM IN THE CHAMBER OF DEPUTIES

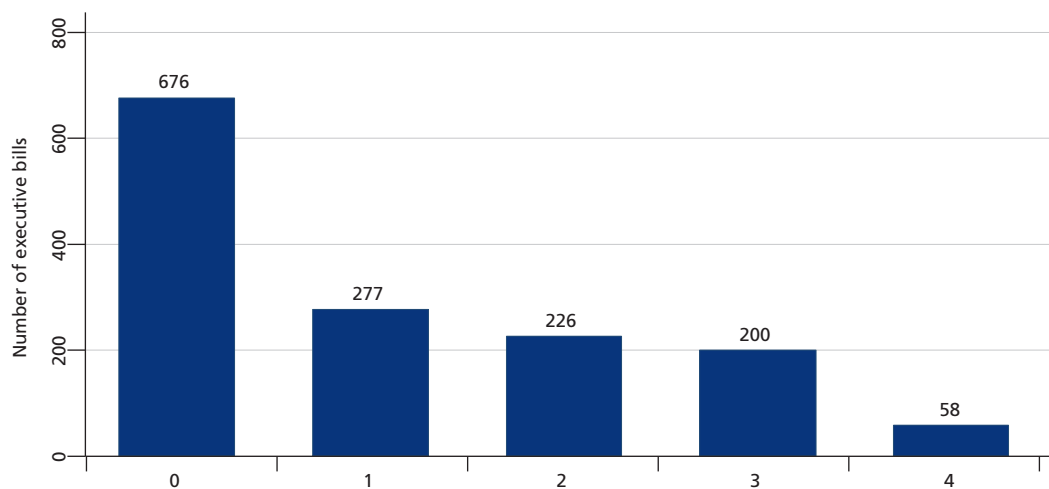
The Chamber of Deputies is the first house to examine executive proposals. With 513 members elected by open-list proportional representation,⁷ it is also the chamber where quite a few political parties gain seats, with approximately between 20 and 30 parties sending their delegates to this house. Partly because of its size, the lower house's legislative process is more complex than that in the Senate. Hence, deliberation in the Chamber of Deputies poses a first formidable challenge for executive proposals. This section provides a closer look into the legislative process in the lower house by examining proposal duration, committee deliberation, floor discussion, and votes.

7. The Senate is comprised of 81 members elected by a majoritarian rule.

For a majority of executive proposals, the Chamber of Deputies is where they spend most of the time. The median duration of executive proposals in the Chamber as the initial house, including those of pending bills, is 392 days. Of the 1,437 executive proposals, 864 were sent to the Senate after approval in the Chamber, 403 proposals were terminated for other reasons, and 170 proposals were still pending as of 2015. The passage of bills in the Chamber can occur by floor voting or by conclusive power of committees that requires approval of relevant committees but dispenses the need for floor votes. The breakdowns of survival times by outcomes and policy areas follow the trends for the entire legislative process discussed in the previous section. Approved bills have remarkably shorter durations than non-approved bills. Bills for administrative, economic, and budgetary policy areas spend much less time whereas policy areas pertaining to codes, institutions, and homage linger on much longer.

Committee deliberations indicate engagement by legislators to influence the content and outcome of proposed legislation. Simply referring a bill to a committee may not indicate legislative activism, as many bills are tabled and buried in committees without moving forward. Therefore, we count the number of committees that examined and made a substantive decision on a bill. Figure 5 presents the frequencies of bills by the number of committees by which each proposal was examined with a final committee decision of approval or rejection. Approximately half of the executive proposals (676 bills) in the dataset were either approved, terminated, or still pending without ever having even one committee concluding its deliberation. Some of these bills were discharged from committees or went directly to plenary deliberation by bypassing committee deliberations with urgency motions or discharge petitions. Yet, many bills did not complete committee deliberations due to their withdrawal or being tabled and neglected. In our sample, the executive branch withdrew quite a few proposals when it encountered difficulty in getting them approved.

FIGURE 5
Number of committee deliberations concluded

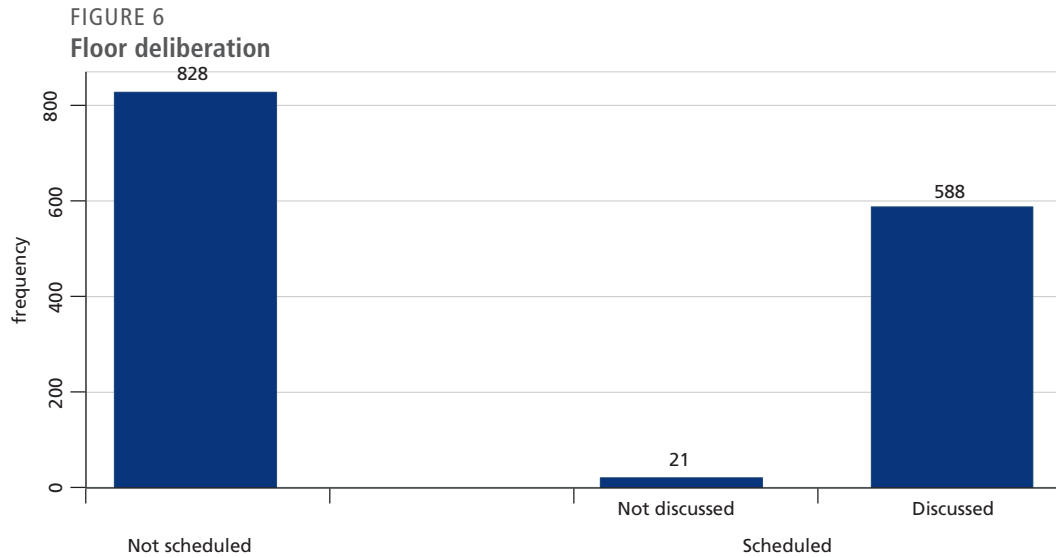


Source: Brazilian Legislative Duration Dataset, constructed by the authors.
Obs: the figure includes pending bills.

On the other hand, slightly more than half of the executive proposals had at least one committee making a substantive decision on the proposal. About four percent, or 58 bills, faced significant legislative activism in committee deliberations, with four committees each making a substantive decision on the bill.

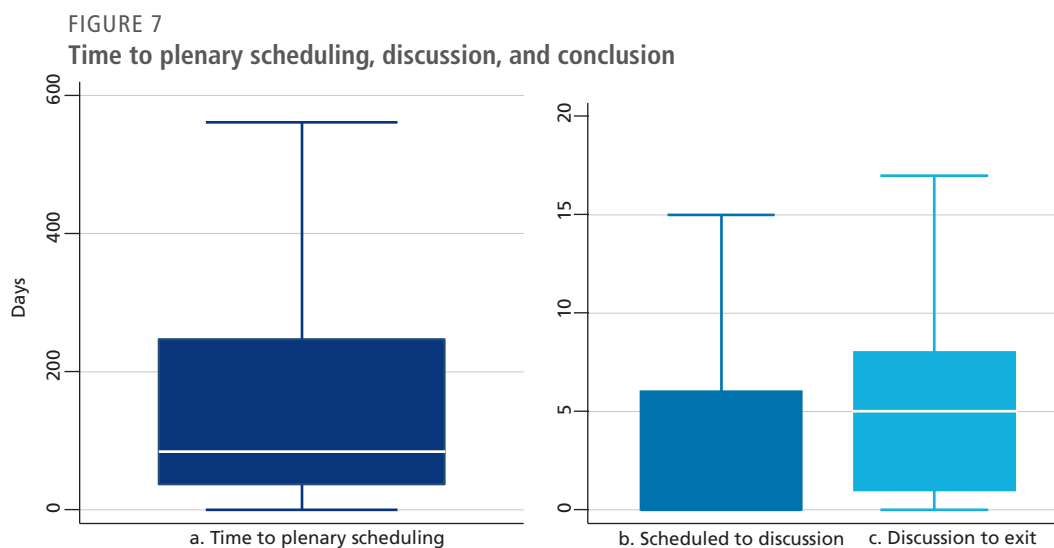
Examination of the executive proposals with respect to plenary activities reveals interesting patterns. Entering the order of the day for plenary meetings is itself an accomplishment because the steering board of the Chamber and party leaders must agree to schedule a bill for floor deliberation. This is usually done based on consensus. If consensus is not achieved, scheduling is determined with the support of the party leaders representing, jointly, a majority in the house, or by the discretion of the Chamber president since scheduling is ultimately the Chamber president's prerogative. Figure 6 suggests that plenary scheduling is in fact a high hurdle. More than half of executive proposals were not scheduled for floor deliberation. Moreover, of the 609 proposals scheduled for floor deliberation, 21 proposals were never discussed or deliberated on the floor. Bills were considered having been discussed or deliberated on the floor if substantive activities, such as floor debates and voting, took place. Mere reading of committee reports or receiving of amendment proposals without deliberation does not constitute floor deliberation.

We should keep in mind that not being scheduled for floor deliberation does not necessarily mean that those bills died in the Chamber. As discussed previously, committees' conclusive power can dispense the need for floor deliberation for the passage of proposals. When committees reject bills without an appeal in the plenary floor, it is also considered deliberation under conclusive power. In our dataset, 25 percent (363 bills) were examined under conclusive power in the Chamber of Deputies.



Source: Brazilian Legislative Duration Dataset, constructed by the authors.
Obs: the figure includes pending bills.

Scheduling for floor deliberation takes time (see figure 7). Of the 609 executive proposals that were scheduled for plenary consideration, the mean time until an executive proposal's scheduling for floor deliberation after it enters the Chamber is 230 days and the median time, 84 days. The time until scheduling in fact varies enormously (see figure 7a). With successful urgency motions, some proposals enter the order of the day for plenary meetings on the day they are introduced in the Chamber. Most do not move as quickly; in our sample, it can take as long as 6,011 days.



Source: Brazilian Legislative Duration Dataset, constructed by the authors
Obs: excludes outside values.

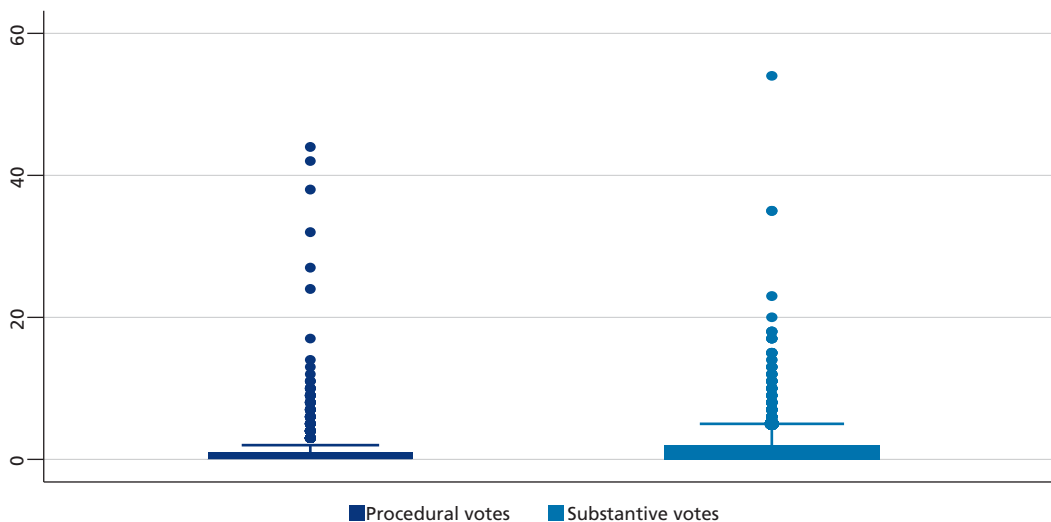
Most executive proposals that are scheduled for floor deliberation are in fact discussed on that day (the median time from scheduling to the first day of floor deliberation is zero – see figure 7b). However, there is also a significant variation at this stage. The mean time from the scheduled date to the first day of floor deliberation is 48 days, and the maximum delay recorded for the period under investigation is 2,423 days. In most instances, the passage of time during this interval represents time lapsed while bills sit still, waiting for deliberation without any value added to the content. Political conflict mostly accounts for the delay at this stage, as procedural battles to obstruct the process are waged and fear of defeat forces presidents' allies in Congress to remove executive proposals from the order of the day. Efforts to obstruct continue even after floor deliberation starts, especially prolonging deliberation time for those proposals that are also targets of amendments and defeat.

The figure also reveals tremendous variations in the duration from the first day of plenary discussion to any form of conclusion (approval, rejection, decision to not vote, withdrawal, etc.). The median time is five days, but bills could get stranded in this phase for over eight years (figure 7c).⁸

8. Occasionally, when bills are tabled for years, the steering committee orders to recommence the deliberation process by returning bills to relevant committees.

One way to differentiate content-influencing actions from other types of actions is to examine floor votes. Figure 8 provides a boxplot for the number of substantive votes and that of procedural votes cast on the Chamber floor. The former includes votes on proposals, substituting proposals, amendments, individual articles, and other items of proposals. Most of the latter is dilatory votes, such as request to remove bills from the order of the day, request to postpone deliberation, and verification of votes and quorums. Some of these procedural votes are aimed at expediting the deliberative process, most notably votes on urgency motions. A majority of executive proposals are never voted on the floor (the median value is zero for both types of floor votes). The mean value is 1.1 per executive proposal for procedural votes and 1.5 for substantive votes. Approximately 10 percent of bills receive three or more votes of each type. The maximum number of procedural votes on a single bill is 44 whereas that of substantive votes is 54. These data indicate that Brazilian deputies and parties use procedural votes to delay the legislative process quite frequently, and substantive votes to alter the content of executive-proposed legislation.

FIGURE 8
Number of floor votes



Source: Brazilian Legislative Duration Dataset, constructed by the authors.
Obs: the figure includes pending bills.

5 IMPLICATIONS AND DISCUSSIONS

Despite its importance, duration of the legislative process is one area in legislative research that has received insufficient attention. Processing of bills can accompany

significant delays for certain proposals. What does a lapse of time in the legislative process represent? Using executive proposals submitted to the Brazilian Congress and legislative activities, this paper presents data on and analyzes durations of legislative processes and legislative activities in various stages of the legislative process and over different policy areas.

Our analysis indicates that there are significant variations in the durations of legislative processes. Legislative activism to influence the content and outcome of policy proposals can account for much of the delays in the legislative process. However, our data also revealed that substantial amounts of time also lapse without accompanying content-influencing legislative activism. Extensive procedural votes that occur in the Brazilian Congress suggest that legislative obstruction associated with political conflict between presidents and their own legislative coalitions and one between the government and opposition significantly contribute to legislative delay.

This work represents only a first, but long-awaited step to understand the legislative processes and durations in the Brazilian Congress. Understanding the duration of the legislative process sheds light into the dynamics of political conflict in the country, its potential for gridlock, as well as the proclivity of the legislative branch to review and discuss legislative bills. Hence, it is a key aspect of how democracy works and how institutions may foster or hinder decision-making. We provide here preliminary evidence that both legislative activism as well as conflict affect how long it takes for Congress to approve bills. Future work should take a deeper look into legislative durations and activities by explicitly modeling potential causes of legislative delay. A significant challenge is to identify exogenous indicators of legislative activism, as some of the legislative initiatives legislators employ to add content to bills are also used strategically to delay and confound. Designing the appropriate research to capture these nuances and maintain representativeness is imperative to better comprehend the meaning of time in the legislative process.

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APPENDIX

Classification of bills by policy area

Policy	Coding Description
Administrative Policy	Administrative policy includes areas related to the administration of the federal, state, and municipal governments and other public entities and enterprises. It encompasses restructuring of ministries and other government and public entities including the military, administrative reform, personnel matters of government employees (including retirements and salaries), acquisition, removal, or donations of unused furniture by the federal government and federal agencies, etc. Pension reform is classified into the social category even when it pertains to pensions for public employees.
Codes & Rights	Codes and rights include such areas as criminal codes, electoral codes, prison sentences, financial crimes, consumers' rights, etc. This category covers all bills that refer to codes (codigo), rights (direito), and prosecution and punishments of crimes.
Economic Policy	Economic policy cover trade, economic development, and monetary and fiscal policies not covered by tax policies, etc. For example, bills pertaining to the PAC (economic growth acceleration program under the administrations of Presidents Lula and Rousseff), SUDAM (Superintendence of Development for the Amazon), and minimum wage fall into this category.
Homage & Tribute	Homage and tribute include, for example, naming and renaming bridges and airports to honor someone and designating a particular day or week to promote a cause. Changes in the presentation of national symbols, naming an art work in Rio Grande do Sul "Ponte Ivan Alcides Dias," and renaming a part of a national highway "Rodovia Ulysses Guimarães" are examples of the cases included in this category.
Budget & Taxes	Budget and tax policies include anything related to taxes and tax-like "contributions," budgetary proposals, extraordinary credit, etc. Included in this category are bills that deal with such areas as annual budgetary laws, emergency credits, and tax reform.
Political & Institutional	Political and institutional reforms include electoral reforms, judicial reforms, laws related to political parties, etc. Administrative reforms and reorganization of the executive branch, military, or federal police are classified as administrative policy.
Social Policy	Social policy covers labor policy, environment, pension reform, education, etc. Labor reform, social security reforms (both private and public), public safety policy not covered under codes and rights, teachers' training, concession of pensions to individuals, environmental protection, animal research, work hours and environment are examples included in this category.
Foreign Policy	Foreign policy includes international agreements, policy toward certain countries or regions, and regional integration, etc. It includes, for example, Mercosur, foreign aid, donation of military aircraft to foreign countries, and policy related to humanitarian actions abroad.

Elaborated by the authors.

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