The Brazilian National Congress is bicameral, composed of the Senate and the Chamber of Deputies. Both houses are located in the building known as Palace of National Congress, which is located in Brasília, the capital of Brazil.

Type of political system

Brazil is a Federal Republic composed of 26 states and a Federal District. It has adopted the Presidential political system. Both chambers are elected directly every four years, on the same day as the first round of the elections for the President of Republic, as well as for governors of states and members of regional legislatures.

Size and structure

The Senate has three representatives from each unit of the Federation, which means a total of 81 senators. The Chamber of Deputies has 513 representatives, and they can vary from a minimum of eight to a maximum of 70 per district, according to their respective population. As the most densely inhabited unit of the federation, with more than 20 million people, São Paulo has 70 deputies, whilst states such as Amapá and Roraima, among others, have just eight representatives. The main objective of this distribution is to reduce inequalities between states and regions in Brazil by giving a more equal representation for all districts. As a result, however, it makes the rural areas over-represented in contrast to the large urban areas, which are under-represented in the Chamber.
Both chambers have a Chief Executive Office composed of civil servants chosen by the Speaker. These people manage and provide administrative support to the institution and conduct the essential services that make possible the parliamentary work performed by representatives. The political management of both houses, though, is carried out by the Bureau, whose members are elected by all parliamentarians of each chamber. The Speaker is chosen by the members of the largest parliamentary group in a traditional non-written rule. According to official procedure, the proportionality between parties defines the distribution of seats in the Bureau.

The administrative organisation of both chambers is slightly different, but each one has a Secretariat General, a Communication Office, Information and Technology Services, as well as Security Offices and Committee Departments.

Each Member of Parliament has their own staff, paid for by the budget of the house, but chosen by the representatives themselves. The number of people working for an MP varies considerably. Representatives also have specific financial resources for travel, post and other forms of communication with voters.

Electoral system

At the last election in 2010, Brazil had 135.8 million voters. Citizens aged 16 years and above can vote, with voting being compulsory for those aged between 18 and 70. National legislators are directly elected through each state, plus the Federal District, which constitute electoral districts (constituencies) in Brazil.

Two different electoral systems are adopted for the chambers. Senators are chosen by a majority system (first-part-the-post) and have eight-year terms, coincident to two deputies’ terms. Senate elections are held every four years, through the election of one or two-thirds of the seats. Deputies are elected through a proportional representation electoral system with open lists, which enables voters to choose their representatives from the names offered by parties.

To some authors, these rules lead to a multiparty context. There are currently 33 parties registered in Brazil. From these, 22 are represented in the Chamber of Deputies, a condition for them to access the governmental funds and to participate in the Electoral Publicity in Radio and Television. The PT (Worker’s Party) is the biggest in the Chamber, with 88 deputies, followed by the PMDB (Brazilian Democratic Movement Party), with 71 parliamentarians. These two parties have elected, in coalition, the President and the Vice-President of Republic, respectively, Dilma Rousseff and Michel Temer. Besides the PT and the PMDB, other important parties in Brazil over the last three decades are: DEM (former PFL), PP (former PDS), PTB, PDT, PSB, PSDB, PPS, PV, PSOL and PSD.

Indication of descriptive representation

Although Brazilian federal deputies are elected through a proportional system, the chamber does not score very highly in terms of descriptive representation. In the case of women, despite comprising 51% of the population, only 9% of the deputies and 12% of the senators elected in
2010 are female. The proportion is very similar for BAME representatives in the Chamber: 9%, with a much lower percentage in the Senate (1%). Yet BAME people constitute 51% of the Brazilian population.

**Main powers of the parliament**

The main responsibility of the Brazilian National Congress is to elaborate laws and to monitor the actions of the Executive Branch, including the budget. Both chambers have to act in juridical rules elaboration, each one acting as a reviser for the other one.

According to the Brazilian Constitution, the Chamber of Deputies and Senate have the power to rule their internal structures (administration, positions and salaries of its employees, for instance). The chamber can also check the President’s accounts and authorize legal processes against the President or Vice-President of the Republic and ministers of state. This means that the Chamber can inspect the actions of members of Government.

**Legislative-Executive relations in Brazil**

The party numbers presented above show that a president cannot govern in Brazil without a coalition. None of the President’s legislative powers are sufficient without large support from the Chamber and the Senate. But the real difficulty is the Chamber, which analyses the Executive’s proposals in the first place, providing its ultimate seal of approval.

The Brazilian President has formal powers to exercise a veto, to rule by decree and to ask for urgency in its analysis of a proposition in the legislature. The President also has exclusive power to introduce legislation in areas such as budget. The constitutional delegation of powers to the Executive centralises legislative action and coordinates the will of the majority in the process. Legislators tried to compensate the centrifugal aspects of the political system with a powerful president, responsible for the coordination of the coalition and legislative agenda.

It is important to emphasize the complexity of the relationship between the executive and the legislature. This relationship is not always as conflictive as the literature about presidentialism seems to indicate. There is space for cooperation and the articulation of common interests, which includes the opposition parties as well.

A second important point is the central role played by parties in this process. The decentralized and fragmentary aspects of Brazilian parties impose important constraints on executive action towards the legislature. The large number of parties with parliamentary representation brings considerable complexity to the system, as do the regional and state parties’ common preferences. Most Brazilian parties have weak social links and low public support. But they are powerful organisations inside the legislature, providing the main framework for political combat.

The centralization of the legislative process in the hands of the President and the way he shares these agenda powers with Steering Body and Board of Leaders constitute institutional mechanisms that aim to achieve coordination between independent branches. The Brazilian
case shows that executive constraint procedures upon the legislature can be a useful mechanism to ensure stability, by organizing a majority inside the Congress and making government possible.

References


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Image: view of Palace of National Congress in Brasília. Rodolfo Stuckert/ Chamber of Deputies