

Are the Committees Presidents More Extreme?
Evidence From the Brazilian House.¹

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Abstract: Who are the Committees Presidents in the Brazilian House? The literature has credited the stability of Coalitional Presidentialism in Brazil to the centralization of power, both in Executive and in Congress. In a context where more than 20 parties have representatives in the House and Senate, the President is not likely to have party majority in Congress. He can only overcome deadlock if he successfully negotiates with party leaders. Following an informal rule, they are the ones who name the committee presidents. In this paper, we try to answer the following question: are committee presidents different than the rest of the members of the party? Taking advantage of roll-call voting data that allow us to measure party discipline, and ideal-point estimations of ideology, we check what are the factors associated with the appointment of committee presidents and find that only party discipline is statistically and substantially associated with the appointments. The two arenas theory looked at the floor of the House and extrapolated the conclusions to the whole National Congress. Leaders are strong but also need to compromise if they want to maintain the support of their caucuses.

Introduction

On June 2013 most of the state capitals in Brazil had their streets taken by people unsatisfied by a plethora of issues, ranging from hikes in bus fares to a general dissatisfaction with corruption. The diffuse agenda that the protesters put on the table brought a new challenge to political scientists interested on Brazilian institutions. Is this political crisis about legitimacy or representation? Is it an institutional crisis or merely the product of circumstance? At the same time, the Executive finds great difficulty to govern next to the National Congress, with a sequence of gridlocks and failed negotiations poisoning the relationship between these two powers.

Until March 11, 2016, standing committees at the Brazilian Chamber of Deputies were still not formed. Party issues and what is known as the "open window to switch parties" made impossible to foresee the size of coalitions and distribute congressmen in different committees. Since 2015 the committees hadn't met to discuss projects and the only active arenas in Congress were the floor and the ethics committee.

In this paper we analyze the standing committees at the Brazilian lower house. Our focus will be the formal and informal institutions that govern the behavior of congressmen in the committees. We are also going to evaluate the Brazilian and American literature on leaders and president selection: is the literature on the US Congress adequate to understand the Brazilian context? Are the theories developed on the mid 90's still useful to understand the big picture?

In order to do so we use two different sets of data. The first one comes from CEBRAP's *Banco de Dados Legislativos*, and consists of roll-call voting records from 1995 to 2014. One key information in this dataset is the vote that party leaders oriented their rank and file to follow. We use this to build a simple and intuitive measure of party discipline, which consists of the share of votes that followed the leader indication in a year. The second one comes from Zucco Jr. and Lauderdale (2011), and consists of deal-point estimations of the prefer-

ences of congressmen on the left-right and on the government-opposition spectra.

Brazilian Congress and Committees

The committee system plays a key role inside the division of labor of the Brazilian House of Deputies. It was designed in order to improve the organization of legislative work, with its thematic division that enables information to be aggregated in discussions with members of the civil society and by taking advantage of technical reports produced by specialists.

This division was created during the discussions that gave origin to the current constitution in such a way that it should match the thematic division of cabinets in the Executive. Thirty years after the Constitution of 1988, new cabinets and committees were created, and old ones were split, merged or simply dissolved. Currently, it is not possible to establish a one-to-one mapping between the two institutions as it was originally designed to be.

It is through the committees that the legislative process starts. Once proposed, the bill gets an initial dispatch given by the board who will point the thematic stand committees where it should be discussed. The same bill can be directed to up to five different permanent committees, three of which will analyze the merit of the proposed legislation and two that deliberates on its constitutionality and budgetary viability. The Committee of Constitution and Justice (*Comissão de Constituição e Justiça*, or simply CCJ) can analyze both the merit and/or the constitutionality of a given matter, depending on how the board judges fit on its initial dispatch. If a bill encompasses more than three thematic areas, it will be created a special temporary committee to evaluate the proposed law.

This same initial dispatch that assigns the committees that will analyze the bill also specifies the path it will follow inside the Congress. The Constitution of 1988 established that bills can either go to the floor after the discussions on the permanent (or special) committees or be deliberated and approved inside the committee, without the need of being deliberated and approved by the Floor. Ultimately, this means that the committee system creates a new decision arena separated from the floor. Such possibility exists in both Houses of the Legislative and is usually referred to as the conclusive power of the committees, in the case of the House, or as the terminative power, in the case of the Senate.

In spite of the conclusive power the deputies can request to have a final say on the bill even if it was initially directed to go through the committee system. This is possible if more than 257 of the members of the congress (or leaderships that carry such number with them) request to do so.

Another key dimension of the committee system alongside its conclusive power relies on its power to aggregate information during the discussions before being passed (or not) or going to the floor. During this stage, the discussion regarding the merit of a given piece of legislation is sustained by technical reports and discussions with specialists and interested parts of the civil society.

This is not the case of the floor, where most of the legislation analyzed comes directly from the Executive and the space for deliberation is modest. This results on the floor being a more conflictive than informative as an arena for lawmaking. It is the committee system that guarantees that every piece of legislation is thoroughly discussed with people directly related to its subject matter before being put to vote.

Both the Chamber of Deputies and the Senate count with a body of highly trained and specialized public servants, the legislative consultants, most of them holding Masters or Doctoral degrees, who help congressmen to evaluate bills currently being discussed and to write reports on them. The consultants selected are the best placed candidates on a comprehensive examination, where those who pass are selected by their expertise on their fields of interest, and not because of some political criteria. They constitute the main source of specialized information to congressmen during the deliberations on the committee system. If there aren't specialists on the specific bill, the representatives also have a year budget designated just to hire extern consultant on specific fields that the legislative consultants of the House can not answer.

Beyond the conclusive power and the informational role, the committee system is also the place where the demands from stakeholders are incorporated. These are done on public hearings where leaderships from civil society and experts in the area can voice their concerns on a given piece of legislation. This helps congressmen to know better the effect the bill will have if passed on people affected by it.

After its initial dispatch by the board, the bill will be moved to the assigned committees, where it will be received by their presidents. They will name one of the congressmen in their committees to be the reporting (*relator*) member of the bill. He or she will be responsible to collect and present to the other members of the committee all the relevant information gathered from technical reports and public hearings. Before voting on passing or rejecting the bill, the members of the committee will discuss this report.

Given how busy congressmen are, it is reasonable to assume that the bill reporter plays an important informational role in the lawmaking process. Even if the congressperson who is reading the report is from a different party and wanted to argue against it, it would be impossible for her to evaluate in detail all the information in the document⁴. Being a reporter on a bill is, therefore, a way to play an important part on the legislative for those who are not on leadership positions.

In the United States, the thematic specialization is the main criterion behind the informal rule of committee appointments. There, the congressman from the majoritarian party that served more time on the commission is the president. This is known as the seniority rule. In Brazil, according to the standing orders, the choice of committee presidents is done by an election inside the committee. Once the committee presidents do the distribution of reporting assignments and the agenda setting, it is reasonable to expect that a majority choice rule was chosen.

Even though the fact that this is the description of the procedure written in the internal rules of the congress, the appointment of committee presidents is subject to an informal rule concurrent to the formal one described on the previous paragraph. According to the informal procedure, party leaders are the sole responsible for the designation of presidents. In other words, congressmen give up on their individual choice power in order to centralize the decision on the party leadership, in spite of the existing official guidelines. The internal rules of the house also state that the president of the committee can't be reelected.

⁴ Santos and Almeida (2005).

It's important to stress that under open-list proportional representation with open endorsement and single vote, the electoral arena does not give any power to party leaderships. In some cases, the leader will compete with members of the rank and file of the party for the same votes. The interpretation that there are two distinct arenas, an electoral and a legislative one, has as a logical consequence that the centralization of the lawmaking process is a consequence of the institutional organization established by the Constitution of 1988 and the internal rules of the congress.⁵

The appointment of presidents of the standing committees is an example of concurrent informal institution that, surprisingly, congresspersons do not take an issue with. From the perspective of the rank and file of the parties, wouldn't it be reasonable for them to contest this informal rule and claim back their right to choose the presidents? From the perspective of the leaderships, wouldn't it be expected that they will try to formalize the unwritten rule? If the written internal guidelines of the congress can be easily changed by the steering body with a signature from the speaker, why did it never happened?

In this paper we analyze the determinant factors behind the appointment of committee presidents. If one assumes that the president is chosen among its peers by an election, it would be expected that his position on the left-right and government-opposition spectrum would play a key role on the decision. On the other hand, the informal rule described above is enforced, we would expect that, more important than these two previous factors, party discipline would be the major determinant on the appointment.

⁵ Santos (2003).

Theory and Hypothesis

The observation of electoral incentives while disconsidering the parliamentary arena resulted on a series of grim analyses regarding the institutional incentives created by the Constitution of 1988. During the mid 90's political scientists reached a consensus with respect to the Brazilian institutional arrangement, emphasizing the role microinstitutional changes that centralized the decision making process on the hands of the Executive and party leaderships.

The most surprising aspects were the considerable agenda setting power the Executive had and the great discipline the rank and file of the parties displayed. These two attributes came as unexpected to many who believed that Brazilian politics would boil down to be made of voters connected to politicians without any bond to their parties who care only about pork. The literature has relativized the agenda setting power of the Executive, since it was not reasonable to think about this power as an agent acting as one and, on the other hand, because new methodological advances allowed new discoveries that brought this theory into question.

On the other hand, the disciplined behavior of congressmen has been successfully reiterated on the literature. What varied was the understanding of what discipline meant. Figueiredo and Limongi (1995, 2002) see it as a consequence of the incentives of the legislative arena. If the congressperson has no institutional channel to act individually, he or she needs the party in order to run for reelection.⁶ Pereira and Mueller (2002, 2004) propose a different interpretation, saying that disciplined congressmen only do so to enable them to act locally through budget amendments. This discussion on whether politicians in the lower house are disciplined because of localist or partisan reasons divided political scientists who focus on the Brazilian congress on the last decade.

The analysis on standing committees and the determinants behind the assignment of roles in them was also influenced by this theoretical division.

⁶ This perspective is close to the one presented by Cox (1987) and Cox and McCubbins (1994) on how political parties are responsible for solving collective actions problems inside the Congress. An immediate consequence of such responsibility is the separation between the electoral and the legislative arenas. It also goes in opposition to the distributive argument in Mayhew (1974), to which the legislative arena is a consequence of the electoral one.

While Pereira and Mueller (2004) see the Executive as a strong force on the committee system, Santos and Rennó (2004) understand that the main criterion used for the assignment of committee presidents is party loyalty. Santos and Rennó considered party loyalty the most important factor in the allocation of committee chairmanship. They conclude that party discipline is an efficient strategy against the possibility that the chief of the Executive exploits his or hers privileged bargaining position.

Pereira and Mueller, on the other hand, argued that committees in Brazil operate as agents of the Executive, they called it the Theory of Executive Dominance. The authors understood the urgency petition as a way of the Executive to bring anything to the floor and to take away the gatekeeping power from the committees. The members of a committee can also be replaced by their leaders at any point of the Legislature, the spot in the committee belongs to the party, not to the congressperson⁷. Because of that, Pereira and Mueller understand that the Executive stacks certain committees with loyal members (through party leaders).

But, if there's the possibility of using the urgency petition and bring the bills to the floor, why would the Executive care to reallocate loyal members? The authors conclude the most important function of the committee is to specialise and acquire information regarding specific bills, then they strategically decide how much of this information to reveal. It would be better for everyone if a urgent petition is not requested because the committees could than gather and disseminate the information. "The informational gain to the floor and the executive is higher than the distributive loss"(pp.39).

Both papers mention the topic of the committee president selection: the internal rules determine presidents should be elected by secret vote taken inside the committee. Nevertheless, an informal rule dictates the leaders of the majority parties in the committees are the ones who choose the presidents⁸. And if the leaders are selected by the parties, it is reasonable to suppose the

⁷ It is important here to point out a missconcept regarding to who belongs the spot in the Committee on Pereira and Mueller (2004). Some parties work alone and don't join any caucus but most of them join big party caucuses and when they do so, the spot belongs to the caucus, not to the party.

⁸ At this point, again, there's a missconcept. It can be the party, but it is usually the caucus.

party criteria to select committee presidents would be similar to the criteria to select leaders.

The leaders selection has been an important agenda in the United States literature on legislative. Two hypothesis have been explored regarding the ideology of party leaders. The middleperson hypothesis dictates party leaders should tend to hold ideologies close to those of the party's median voter⁹. The directional hypothesis, on the other hand, dictates elected party leaders should tend to hold ideologies on the extreme side of the party median, Democrats being more liberal and Republicans more conservative¹⁰.

Although ideology seems to be an important factor at the US Congress, we must take care when analyzing it in the Brazilian political scenario. As Zucco Jr. and Lauderdale (2011) warn, ideal point estimates of ideology from roll-call analysis for the lower house are often undermined by the fact that, on an environment where the chief of the Executive has a disproportionate share of political resources to be distributed, congressmen actions may be driven by other factors. In this context, parties fight over ministerial and infraministerial positions and individual congressmen lobby the executive in order to bring potential benefits for their constituents.

Using survey data where, among many other questions, legislators are asked to locate themselves and their parties on an ideological scale, and roll-call records for more than 20 years, the authors are able to separate the component of legislative voting behavior that is attributable strictly to ideology. The authors then examine a second dimension of disagreements and show that it closely follows the dynamics of government and situation coalitions. They show that, when incoherent coalitions take place, the left-right and opposition-government spectrums are distinguishable, and that the latter has become the main predictor of voting behavior in contemporary Brazil.

⁹ McGann, Grofman, and Koetzle (2002); McGann, Koetzle, and Grofman (2002).

¹⁰ King and Zeckhauser (2002); Heberlig, Hetherington, and Larson (2006).

From those theories, we derive three hypothesis:

H₁ Committee presidents are more ideologically extreme than the average of their parties.

H₂ Coalitional committee presidents are more supportive to the government than the average of their parties and opposition committee presidents are more opposition to the government than the average of their parties.

H₃ Committee presidents are more disciplined than the average of their parties.

Data

In order to understand what does it take to be a committee president in the Brazilian lower house we take advantage of two different sets of data. The first one comes from CEBRAP's *Banco de Dados Legislativos*, which consists of roll call voting records from 1995 to 2014. The key information in this dataset is the vote that party leaders oriented their rank and file to follow. We use this to build a simple and intuitive measure of party discipline, which consists of the share of votes that followed the leader indication in a year.

In Figure 1 we can see the evolution of party discipline over time. The most striking feature is the fact that committee presidents are consistently more disciplined than other members of the Congress. The second thing worth noticing is how discipline, who reached numbers above 95% on 1999, is slowly going down.

When we turn our attention to the evolution of the difference between presidents and other congressmen we find that the gap in discipline between these groups has been also going down, as we can see in Figure 2.

Figure 1: The evolution of party discipline over time

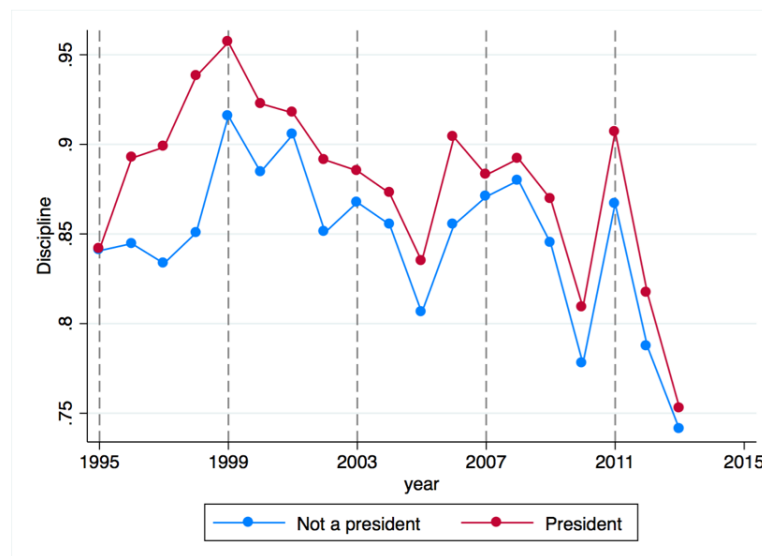
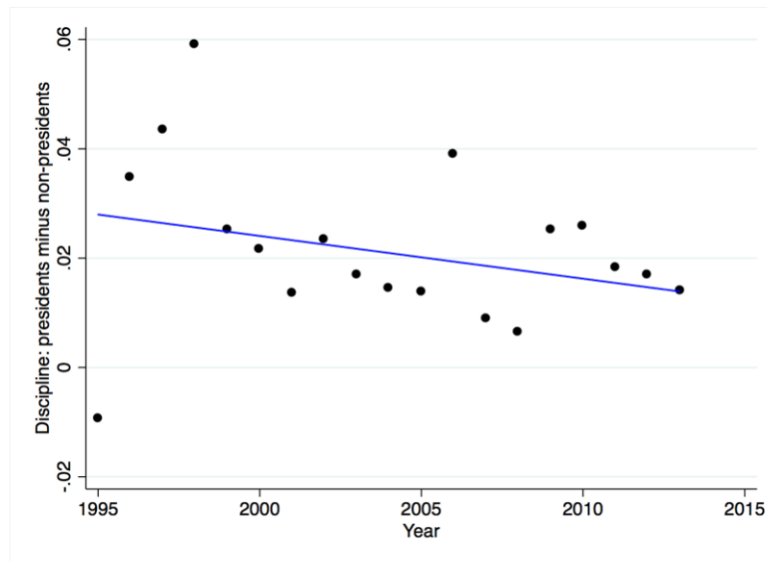


Figure 2: The discipline gap between presidents and non-presidents.



Finally, a within-party comparison shows that, consistent with what we have found in Figure 1, those who are selected by their leaders to preside over committees are more disciplined than the average of the party. This can be seen in Figure 3.

Figure 3: Within party difference between president and non-presidents.

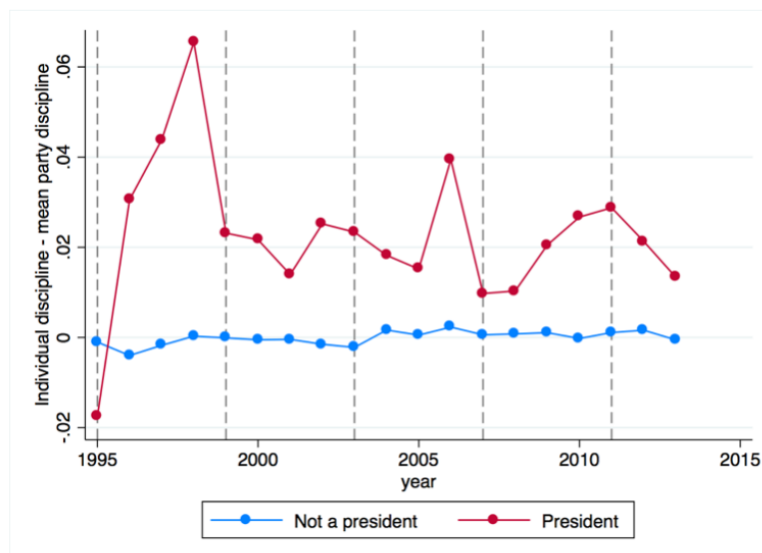
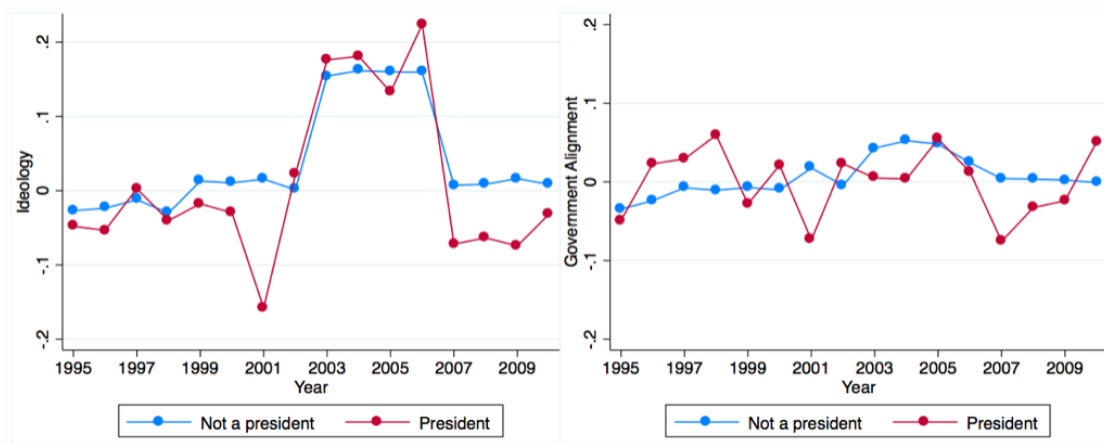


Figure 4: Ideological and government alignment differences.



It is important to highlight that, on the representative dimension, the way parties interact in Congress has changed dramatically over the last few years. In spite of the fact that this change has exacerbated the differences between presidents and the remainder of the lower house, the downward trend on discipline started long before such changes took place. Nevertheless, the surge on the number of political parties might be related with this trend.

Next, we turn our attention to two other elements that the literature points as relevant to parliamentary behavior: ideology and government alignment. Using ideological ideal points on the left-right spectrum and on the opposition-situation estimated by Zucco Jr. and Lauderdale (2011) we verify if committee presidents are different from their peers on these two dimensions.

On Figure 4 we can see that the connected lines that define the groups constantly shift. There doesn't seem to be a pattern on time, also. Even though the ideological component surged to the right from the last years of the Fernando Henrique Government until 2007, it reversed to the mean around 0.

We also performed six interviews with high employees of the House and three with employees who work for the cabinets in the House. We are going to talk about the interviews mainly in the Discussion session.

Empirical strategy and results

In order to understand what are the factors which predict who will be appointed as a committee president we run the following regression:

$$President_{iry} = \beta_0 + \beta_1 Discipline_{iry} + \beta_2 Ideology_{iry} + \beta_3 GovtAlignment_{iry} + \alpha_r + \lambda_y + \epsilon_{iry} \quad (1)$$

where the dependent variable is a dummy that takes value 1 whenever the congressman i of party r is the president of a committee in year y . The first independent variable, *Discipline*, stands for the percentage of roll call votes that congressman i gave on year y which followed the vote directed by the leader of r . *Ideology* and *GovtAlignment* are measures of, respectively, ideological ideal points on the left-right spectrum and on the opposition-situation calculated by Zucco and Lauderdale (2011) using roll call data from the Brazilian Chamber of Deputies. Note that this is a two-way fixed effect model, where the inclusion of α_r and λ_y makes our specification equivalent to a regression of deviations in means of *President* on deviations in means on the independent variables.

This model aims to answer the following question: how different are committee presidents from the other members of the House, accounting for partisan differences and impacts common to all members of the house that vary year by year? In order to answer this, we start by running our main specification on our

Table 1: How different are committee presidents from other congressmen? (1995-2010)

Dependent variable: President of a committee (dummy)			
	(1)	(2)	(3)
Party Discipline	0.039*** (0.009)	0.043*** (0.009)	0.043*** (0.009)
Ideology		-0.012 (0.010)	-0.012 (0.011)
Govt Alignment			0.000 (0.005)
Observations	8,064	8,064	8,064
Party FE	Yes	Yes	Yes
Year FE	Yes	Yes	Yes

Notes: All regressions include party and year fixed effects. Robust standard errors in parentheses. Significance: *** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$.

full dataset. The results can be found on Table 1.

We can see in our three columns a positive and robust association between how disciplined individuals are and the probability of being selected as the president of a committee. The fact that our dependent variable is a dummy gives our coefficients a straightforward interpretation. In the context of a linear probability model such as ours, they represent the change in the probability that *President* = 1 for a one-unit change of the independent variable of interest, holding everything else constant. On the third column, for example, a 1% increase in party discipline increases the probability of being appointed to preside over a committee in 4.3%. Although we fail to reject the null of no effect on other coefficients, it is important to highlight the fact that, not only government alignment is statistically non-significant but also substantially so. A one-unit increase on the government alignment index from the ZL data has a zero percent effect on the probability of becoming a president, something that certainly doesn't fit the Theory of Executive Dominance proposed by Pereira and Mueller (2004).

On Table 2 we run the same set of regressions, but this time for separate samples. On Panel A we restrict our attention to the years in which Fernando Henrique Cardoso, from PSDB (a center-right party), was the elected head of state. On Panel B we focus on the years that Luís Inácio Lula da Silva, from PT (a center-left party) was the president. Once again, for all columns on both panels,

Table 2: How different are committee presidents from other congressmen? (Separated)

Dependent variable: President of a committee (dummy)			
	(1)	(2)	(3)
Panel A: FHC (1995 – 2002)			
Party Discipline	0.044*** (0.012)	0.048*** (0.012)	0.040*** (0.012)
Ideology		-0.014 (0.014)	-0.009 (0.014)
Govt Alignment			0.013 (0.011)
Observations	4,226	4,226	4,226
Panel B: Lula (2003 – 2010)			
Party Discipline	0.040** (0.016)	0.046*** (0.017)	0.050*** (0.017)
Ideology		-0.022 (0.027)	-0.025 (0.027)
Govt Alignment			-0.019 (0.015)
Observations	3,838	3,838	3,838
Party FE	Yes	Yes	Yes
Year FE	Yes	Yes	Yes

Notes: All regressions include party and year fixed effects. Robust standard errors in parentheses. Significance: *** p<0.01, ** p<0.05, * p<0.1.

the only robust and statistically significant predictor is party discipline.

In face of the key role coalitions play in the Brazilian institutional arrangement, we also check for heterogeneous effects of discipline, ideology and government alignment on the probability of being named a committee president. We do so by introducing a new explanatory variable, *GovtCoalition*, a dummy that takes

value 1 whenever a congressman belongs to the coalition that supports the incumbent president, and interacting it with our previous vector of independent

Table 3: Does being on the governing or opposing coalition matters to be a committee president?

Dependent variable: President of a committee (dummy)			
	FHC + Lula (1)	FHC (2)	Lula (3)
Govt Coalition*Party Discipline	-0.011 (0.020)	-0.002 (0.028)	-0.007 (0.041)
Govt Coalition*Ideology	-0.011 (0.015)	-0.007 (0.031)	-0.005 (0.041)
Govt Coalition*Govt Alignment	0.001 (0.018)	-0.010 (0.023)	0.030 (0.039)
Party Discipline	0.052*** (0.014)	0.045** (0.022)	0.044 (0.029)
Ideology	-0.004 (0.013)	-0.004 (0.025)	-0.022 (0.046)
Govt Alignment	0.002 (0.010)	0.018 (0.015)	-0.032 (0.029)
Govt Coalition	0.004 (0.016)	0.005 (0.027)	-0.004 (0.035)
Observations	8,064	4,226	3,838
Party FE	Yes	Yes	Yes
Year FE	Yes	Yes	Yes

Notes: All regressions include party and year fixed effects. Robust standard errors in parentheses. Significance: *** p<0.01, ** p<0.05, * p<0.1.

variables. The results can be found on Table 3.

On the first column the only significant predictor, and the one with the greater magnitude, is party discipline. We should be careful, however, when interpreting the coefficient for this variable. Now that we have included interaction terms on our specifications, the marginal effect of party discipline on the probability of being picked as the president of a committee is given by the coefficient of the non-interacted term plus the coefficient of the interacted term times the value of the dummy “Govt Coalition”. Since the interacted term is non-significant (i.e. we can’t reject the null that it is equal to zero), for both values of “Govt Coalition” the marginal effect is the same. This means that we can’t find evidence that belonging to the government coalition affects your chances on being appointed as

the president of a committee. We find a similar result for the second column, which covers only the years of Cardoso's presidency. However, when analyzing the 2003 - 2010 period of the Lula era, we fail to reject the null for all the coefficients on the third column.

Discussion

Regarding the theory of executive dominance, we found no evidence that holds the hypothesis that the support to govern is an important variable to the selection of committee presidents. We agree that the urgency petition may take the gatekeeper power out of the committee to the floor.

We believe that the Executive and leaders centralization that the two arenas literature pointed out is a phenomenon that takes place in the Floor, not in the committees.

The fact that the Executive has a tool to take away a bill from the committee to the floor is already an evidence of that. Another evidence is the existence of a hole executive bureaucracy responsible to follow the committee, every cabinet has a group of employees who work very much alike a lobby group and those employees are respond both to the President cabinet and to the cabinet they are linked to¹¹. If the govern could trust that the committees wouldn't block its agenda, why bother?

Two important institutional aspects on stand committees haven't yet been addressed. The first one is the possibility of the leaders to switch committee membership at any time. Pereira and Mueller (2004) pointed out that this informal institution would make the leaders stronger, a bargain power.

The second one is the elephant in the room: if the congressmen have the power to elect the committee presidents, why do they give up on their power to do so? And if the leaders are so strong, why after almost thirty years they haven't attempted to formalize their power to do so?

¹¹ This specific point need to be addressed more carefully. We intend to do so in future research.

About the power of the leaders to switch party members, an important point hasn't been addressed: the spot in the committee belongs not necessarily to the party, but to the party caucus. Because the rule regarding to committee membership establishes the party proportions should be similar in committees as in the House, at the beginning of the Legislature parties get together in caucuses in order to have more seats. So, if the a party has very few seats, it will maximize the possibility of occupying an important committee seat if it get together with other parties in a big caucus.

Also, the mandates for committee members and presidents are two years long. On the middle of the Legislature, things are rearranged. The detail that has been missed is that the caucus of the beginning of the Legislature can not be rearranged along the way, it must be the same until the end of the four years. That is to say the seats and presidency seats in committees are coordinated by leaders of parties other than the one of the congressperson. Needless to say, these caucuses change substantially along the legislature. Therefore, it is very probable that at some point the power to switch committees or appointing new presidencies will be in the hands of a group of leaders that are not part of the same caucus of the congressperson.

For example, at the beginning of the 55th Legislature, there was a caucus of the following parties: PMDB, PP, PTB, DEM, PRB, SD, PSC, PHS, PTN, PMN, PRP, PSDC, PEN and PRTB. One year later, in 2016, these specific caucus became six different caucuses (along with other parties that were part of different caucuses) and three parties simply disappeared (they had only one representative and she for some reason gave up on the representative position, maybe to a Executive state or municipal seat, or changed party, among other destinations).

At the beginning of the 55th legislature, there were three big caucuses and five parties to share the committee seats. One year latter, there were four caucuses and twelve parties. Nevertheless, the proportions to party membership and presidency remained the very same one of 2015. In 2017, when the

committees will have new presidents, they will be chosen based on a two years ago party and caucuses arrangement¹².

Along with that, it is not unusual for the representatives to switch parties. Because of that, on 2008, the Supreme Court ruled that representatives of the lower House who switched parties without a good explanation would lose their mandates to the party¹³. To overcome the Supreme Court resolution, on February/2016 the Congress passed a constitution amendment that establishes a time window for representatives to switch parties: March/18th. After that, the congresspersons who wanted to change parties would lose their post in the Chamber of Deputies (not in the Senate though).

Again: the proportions to membership and presidencies on stand committees will be the same of that first arrangement on the beginning of 2015. In times of political instability, one year feels like an era. If a representative wants a presidency position or wants to switch committee membership, she will have to negotiate not only with her party leader but also with the leaders of the old caucus that no longer exists. The formal rule creates an institutional Frankenstein and the congressperson who will succeed in this context is not the most disciplined or more loyal to the party but the one who can easily negotiate with other parties.

Because of that, it is no surprise that ideology extreme representatives are not the best fit to committee presidency seats. They need to be opened to negotiate with old allies that may now be opponent.

It is also worth noting that, although party leaders have huge power in the Floor arena, when it comes to standing committees arena, they are not as strong as we would expect than to be to overcome the electoral arena. If the literature pointed out the discipline is consequence of the centralization of the power on Congress, they are talking about the floor. In the standing committees arena the leaders are not key rulers.

¹² When I asked how do the leaders agree on the allocation of members and presidents when they are no longer members of the same caucus, the term "gentlemen agreement" appeared three times in the interviews.

¹³ The exception to that would be if they wanted to switch to new parties, recently registered.

Now, about the selection of committee presidents, if the congresspersons have the power to elect the committee presidents, why do they give up on their power to do so? At first, it may seem like leaders are so powerful that they overcome the formal rule of the election and choose whoever works better for them or for their party. That's the assumption that seems to be in both Pereira and Mueller (2004) and Santos and Rennó (2004) works.

If this is true, the immediate questions that need to be addressed is: if the leaders are so strong, why after almost thirty years they haven't attempted to formalize their power to select presidents? After all, even though with very rare exceptions there's a single plate to elect presidents in committees, they still perform the elections, with ballots and secret vote.

There have been hundreds of changes on the process, this institutional change could be made with a simple act of the board. All they needed was the signature of the Speaker. Why to keep operating an informal institution instead of formalizing it?

Because committee presidents and board are formally elected, they are the only members in the committee who can not be moved away from the committee by the party (or caucus) leader. If the single plate elections may look like an empty ritual at first sight, it is because of it that presidents can assure they will finish their mandates in despite of the leader, they assure some independency from the leaders. Once they are chosen to be presidents, they have important prerogatives, such as to designate reporters and the leaders can not punish them for not acting as they would like them to.

That is to say although the informal institution takes place of the formal one, the formal election of the board of the committee is still a warranty that assures the committee board to act without the leaders pressure. Again, we tend to believe the standing committees are the decentralized arenas of the House.

The two arenas theory looked at the floor of the House and extrapolated the conclusions to the whole National Congress. Leaders are strong but also need to compromise if they want to maintain the support of their caucuses.

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