W04 / Parliaments as policy-making institutions

Topic : Policy Process, Policy Making

Chair : Muñoz Luz (University of Barcelona)

Second Chair : Anna Palau (University of Barcelona)

Third Chair : Camilo Cristancho (Universitat de Barcelona)

CALL FOR PAPERS

In an attempt to shed new light on the role of parliaments as policy-making institutions, this panel welcomes papers oriented to explore any of the following aspects. First, the role of parliaments along the legislative process, including analysis oriented to explain legislators' motivations for proposing new legislation, legislative amendments on executive bills, and/or the likelihood of these amendments to be incorporated into the final text of laws. Second, we are interested on papers analysing under what circumstances legislative committees are capable of creating independent knowledge on policy problems and the role of internal or external resources in the process. Of special interests is the analysis of the participation of interest groups, public officials or authorities in the process. The goal is to explore committee's motivation for inviting different types of actors but also their actual contribution, namely, what particular information they provide to policy makers, on the basis of what arguments and with what consequences. Methodologically, the panel welcomes all types of qualitative and quantitative research on case studies, comparative research across countries and/or different territorial levels (including the European parliament, national or regional parliaments). Theoretically, we are open to conceptual frameworks oriented to explore causality taking into consideration the macro level (such as the characteristics of bills, the type of government, coalition agreements, committee structure, the impact of the electoral cycle or the politicization of issues), but also the micro level (actors' gender, preferences and resources, including past parliamentary experience, specialization and/or expertise).

ABSTRACT

This panel is oriented to increase our understanding regarding the role of parliaments as policy-making institutions, covering a wide spectrum of legislative activities. The general question addressed in this panel, will be under what circumstances parliaments are capable of creating independent knowledge on policy problems and the role of internal or external resources in the process. In an attempt to shed new light on the role of parliaments in the design and analysis of public policies, this panel welcomes papers oriented to explore any of the following aspects. First, papers oriented to explain legislators' motivations for proposing new legislation, legislative amendments on executive bills and/or the likelihood of these amendments to be incorporated into the final text of laws. The panel welcomes also papers oriented to explore the role of parliamentary committees, regarding the discussion of amendments along the legislative process but also more generally, concerning their functioning and influence. Of special interests is the analysis of the participation of interest groups, public officials or authorities along the legislative process. Methodologically, the panel welcomes all types of qualitative and quantitative research on case studies, comparative research across countries and/or different territorial levels (including the European parliament, national or regional parliaments).

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Session 1

Wednesday, June 26th 10:15 to 12:00 (AULA 20)

The role of legislatures in the budget process: a territorial perspective

Anna Palau (University of Barcelona)

The capacity of legislatures to review the budget law is an essential part of the democratic process. However, their involvement rises efficiency concerns as well as criticisms based on legislators' short-term goals or tendency to favor specific constituencies based on electoral considerations. In this vein, in multilevel democracies like Spain, it is particularly interesting to explore to what extent parties' preferences regarding the allocation of resources responds to the interest of specific territories. This paper explores this question based on the analysis of amendments proposed to budget bills. We could expect that regionalist parties propose amendments to influence budget sections that touch the interests of their regions to maximize what their territories get from the state-budget. However, statewide parties might also have interests for maximizing budget allocations to specific constituencies. Are regionalist parties the only proposing disproportionate budget allocation to specific territories? The paper explores also to what extent parties' preferences on budget distribution has been influenced by the unprecedented politicization of the territorial question occurred in Spain during the last decade. The analysis relies on a new and comprehensive database including all the amendments proposed by legislators to the budget law in eleven legislatures.

Aligning Interests: Examining the Relationship Between Interest Groups and Partisan Policy Positions in Parliament

Camilo Cristancho (Universitat de Barcelona)

To what extent do interest groups align with partisan policy positions in legislative decisions? Research on interest-group lobbying has mixed evidence on the effect of interest group lobbying on legislative party polarization. This paper contributes to this debate by analysing the policy positions of interest groups and the degree to which these align with party positions. Computational text analysis is used to measure semantic similarity between interest groups and parties based on an original dataset on hearings in the Spanish parliament from the 1990s to the present day. This analytical approach offers a nuanced perspective that supplements extant evidence derived from lobbying reports, campaign contributions, and roll-call voting, while also facilitating a longitudinal analysis. Evidence from the changeover of the Spanish political system after a long period of imperfect bipartisanship shows how the type of interest groups and the timing of their interventions are relevant in explaining party-group alignments and their contextual determinants. Insights from the dynamics between interest groups and parties in the legislative process are relevant in the study of pluralism and interest representation and their role in societal transformation.

Keywords: Interest groups, Parliament, Political pluralism, Natural Language Processing, Computational text analysis

(Virtual) A choked dissent: interest groups' participation on the parliamentary debate over the new land regularization Provisional Measure in Brazil

Giovanna Gurgel (Universidade Federal do Rio Grande do Sul)

Mateus de França (Universidade Federal do Rio Grande do Sul)

Since the 1990's, Brazilian policy on land regularization of urban and rural informal settlements has involved

the so-called “full regularization approach” which treated the policy as a bundle of rights, especially for low-income families. Thus, according to this approach, a land regularization policy would include different elements besides the guarantee of the legal tenancy of the land, such as the access to public services and improvement on housing and local infrastructure, alongside with intervention seeking the integration between these settlements and the environment on its surroundings. However, in December 2016, the then-president Michel Temer published Provisional Measure 759, significantly changing the land regularization policy approach, primarily emphasizing the provision of individual private property titles to residents of informal settlements. The Measure also proposed allowing the conversion of State property into private property, and to make it easier to regularize settlements in environmentally protected areas, including in the Amazon rainforest region. These possibilities were extended to medium and high-income settlements, raising questions from political parties opposing the Temer government, who viewed the Measure as part of a series of actions promoting a neoliberal agenda in Brazil. Following its publication, the Measure was sent to the Congress, becoming a bill that ultimately gave origin to the Federal Law 13.465/2017. The literature on urban policy is overall focused on the impacts of this law on the Brazilian land regularization policy’s design and implementation. Yet, little has been investigated about the discussions that made it be approved, the interest groups that took part on it and their roles on the final outcome. Thus, this paper addresses the following research question: how was the involvement of interest groups in the parliamentary discussion on the Provisional Measure 759 in Brazil? In order to answer this question, we examined what groups took part in parliamentary discussions aligned with the government and what groups did so aligned with the opposition. Additionally, we analyzed the arguments that interest groups on both sides mobilized to defend their positions. Qualitative data was collected from the stenographic and video records from the Brazilian Chamber of Deputies discussions tagged as referring to the Provisional Measure 759/2016. Complementary data was gathered from social media, particularly X/Twitter and Facebook, by the search of content published during the first semester of 2017, when the bill was under parliamentary discussion, containing keywords associated with the Measure 759/2016. Preliminary results show that, while groups associated with large rural landowners and urban real-estate developers were aligned with the government, environmentalist and worker organizations were aligned with the opposition. While the first interest group argued that the Measure promoted economic and social development by streamlining land regularization processes, the second group argued that the Measure would facilitate urban gentrification and authorize illegal land occupation in the Amazon. Although backed up by academic institutions, the opposition interest groups seemed to have little impact on the final outcome.

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Session 2

Wednesday, June 26th 14:00 to 17:15 (AULA 20)

Stakeholder Participation in the Legislative Process with Policy Creation or Modification Potential: The Case of Jalisco 2018-2023

Froylán Hernández Ochoa (University of Guadalajara)

Ángel Ayala (University of Guadalajara)

Studies that seek to understand the process of public policy formulation have minimized the role of the legislative branch, and have instead concentrated on studying the relationships that the executive branch has with various interest groups. According to the theory of public choice (Stiglitz & Rosengard, 2015) and interest groups (Chaqués, 2020), it is argued that the latter influence the legislative process in at least three ways: 1) they incentivize public support in favor of a legislator; 2) provide information to the legislator regarding voters' preferences; and 3) directly or indirectly bribe legislators. Likewise, ignorance of these mechanisms has serious consequences, such as the fact that legislators respond to a greater extent to interest groups than the general population, as well as an ineffectiveness in the potential of public policies that can be derived from the different legislative products. This article seeks to contribute to the understanding of the role of the legislative branch in the policy-making process, by answering: what type of interest groups influence the legislative process with the potential for policy creation or modification? It is based on the hypothesis that the legislative branch favors interest groups by blocking laws that can promote the implementation of policies adverse to their interests, as well as that legislators promote laws that favor various groups. To this end, a case study approach is used, in which the Congress of Jalisco is analyzed for the five school years from 2018 to 2023, consisting of the documentary review of the explanatory memorandum of the main legislative initiatives and reforms submitted to the plenary, as well as the creation or modifications of policies based on these initiatives published in the “Periódico Oficial del Estado de Jalisco” [Official Newspaper of the State of Jalisco].

References

Chaqués, L. (2020). Interest groups and political representation. In M. Cotta, & F. Russo, Research Hanbook on Political Representation. Edward Elg.

Stiglitz, J. E., & Rosengard, J. K. (2015). La economía del sector público (4th ed.). Published by Antoni Bosch, editor.

When the Abstract Review work as check and balance for democracy? Evidence from the Spanish case

Andreu Rodilla (Universitat de Barcelona)

This paper analyses the impact of the Abstract Review (Recurso de Inconstitucionalidad for the Spanish case) mechanism on the legislative process. The objective is to investigate the extent to which Abstract Review contributes to moderating the government's policy positions and under what circumstances. Theoretical models posit that much of the effect of having a constitutional court is anticipatory. However, less has been said from an empirical standpoint. This paper contributes to the literature by empirically analysing the so called autolimitation behaviour (modification of the legislative texts driven by the fear of being overturned). Using data on legislative amendments and policy shifts, I gauge the influence of the court's ideology on the government's policy modifications within the Spanish context. I also analyse the influence of the relevance of the issue and the electoral cycle on the government autolimitation . The results indicate that the government has strong incentives to avoid being overturned, regardless of the issue's

relevance. They also appear to be influenced by the electoral cycle, leading them to accommodate opposition demands. Ultimately, this research adds to the debate on the role that constitutional courts play as checks and balances within a democracy.

When do business groups embrace outside lobbying in trade policy? The case of the CPTPP in Chile.

Andrés Dockendorff (Universidad de Chile)

dorotea lopez (University of Chile)

Previous research showed that business groups have fewer incentives to embrace outside lobbying in trade policy. We put forward an alternative explanation. Business lobbies are more likely to: approach journalists, participate in interviews, social media, press releases and op-eds when policymakers are not responsible to them, and their long-term interests embedded in a model of trade are potentially threatened. We test our argument with the case of Chile and the gridlock around the CPTPP ratification process. Our results support the hypothesis but the effect is conditional to salience.