

The legislative dynamics in education in the Assembly of the State of Maranhão

A dinâmica legislativa em educação na Assembleia do estado do Maranhão

La dinámica legislativa de la educación en la Asamblea del Estado de Maranhão

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Highlights

The agenda of the parliamentarians is predominantly defined by the interests of the governors.

The Executive's agenda-setting power contributes to the approval of its education policies.

Maranhão's parliamentarians are adrift when it comes to ensuring the right to education.

Abstract

This article addresses the role of the Legislative Assembly of Maranhão (ALEMA) in shaping educational policies between 2003 and 2018. A total of 481 Bills, Proposed Constitutional Amendments, and Provisional Measures were analyzed in order to assess whether the deputies forgo their constitutional prerogatives in favor of implementing the governors' agendas. The hypothesis is that ALEMA does not fulfill its typical role of legislating on education, thereby contributing to a legislative deficit in terms of quantity, quality, and effectiveness. The research adopts a quantitative and qualitative approach, based on a combination of bibliographic review and documentary research. The Executive Branch's strength in dominating the decision-making process—evident through the volume of proposals, veto overrides, and the quality of the initiatives—highlights ALEMA's institutional weaknesses in organizing its own educational agenda.

[Resumo](#) | [Resumen](#)

Keywords

Legislative Branch. Executive Branch. Legislation. Educational policies.

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| Introduction

This study presents one of the outcomes of a PhD research project¹, whose objective was to analyze the role of the Legislative Assembly of Maranhão (ALEMA) in the formulation of public education policies.

This work specifically aims to outline the pattern of relations between the Executive and Legislative Branches through Bills (PL), Proposed Constitutional Amendments (PEC), and Provisional Measures (MPs) related to education submitted during ALEMA's 15th, 16th, 17th, and 18th legislatures (from 2003 to 2018). The emphasis is placed on the differences and similarities observed in the institutional mechanisms and initiatives of these two Branches of Government with regard to the following indicators: volume of proposals, success rate, amendments, regulatory content, and agenda-setting powers.

The goal is to understand whether, in the process of formulating educational policies in Maranhão, the relationship between ALEMA and the State Executive is one of interdependence or subordination. In other words, whether the deputies relinquish their constitutional prerogatives in favor of implementing the governors' agendas. Accordingly, the study is guided by the following research question: what is ALEMA's role in the formulation of educational policies? Complementarily, it raises the inquiry: what is the proportion of proposals authored by the governors that were transformed into legal norms (TNJ) in relation to those authored by ALEMA's deputies? Whose interests are revealed by the decision-making agenda?

The research adopts a quantitative and qualitative approach, with a methodological design based on a combination of bibliographic review and documentary research. The documents were collected from ALEMA's Legislative Portal and on its premises, in both digital and printed formats.

The descriptors employed to map the legislative output were: "school", "teaching", "education", "teachers", "teaching profession", "professor", "research", "scholarship", "school", "university", "curricular structure", "literacy", "didactic", and "subject". Following the analysis of approximately 80,000 documents, 481 files were identified as pertaining to the scope delineated by the established timeframe (2003–2018) and selected descriptors, distributed as follows: 436 Bills, 10 Proposed Constitutional Amendments, and 35 Provisional Measures. Of these, 291 (60.4%) were enacted into law, with 97 authored by the Executive Branch and 194 by the Legislative Branch.

From these data, the research proceeded to an in-depth exploration of the material, operationalized through the systematic description of all information in four Excel spreadsheets corresponding to each of the four legislative periods under study.

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Once the database was assembled, the content of the documents was categorized by means of a combination of the Nvivo software and the content analysis technique (Bardin, 2016), thereby classifying the legislative output in education into eight thematic categories: school curriculum, higher education, education funding, infrastructure, educational organization, supplementary programs, parish projects², and symbolic projects.

The quantification of the entire dataset, as well as frequency testing to identify possible correlations among the various research descriptors, was conducted using SPSS software. The results were organized into descriptive tables and/or graphs, providing data on the total values for each variable, which allowed for inferences and interpretations regarding the legislative dynamics in education within ALEMA.

It is posited that, concerning the formulation of public education policies, the logic of imperial presidentialism—outlined by Abranches (1988)—prevails in the State of Maranhão. This is evidenced by both the legal framework and the actual legislative output, which point toward a hypertrophied Executive Branch, replete with powers, in contrast to a weakened Legislative Branch, stripped of its prerogatives and institutional role. Therefore, the hypothesis is that ALEMA fails to fulfill its typical function of legislating on education, thereby contributing to a deficit in the quantity, quality, and effectiveness of legislative action in the field of education policy within the State.

| Federal and Institutional Context of ALEMA

In order to analyze ALEMA's role in the formulation of educational policies, two contexts identified in the literature on education, political science, and law emerge as fundamental to this study: 1) the formation of the Brazilian Federal State and the distribution of competencies between the Federal Government and the States, as well as between governors and deputies; and 2) the rules that define the relationship between the Executive and Legislative Branches and the institutional organization of ALEMA.

Under the Brazilian federal design established by the Constitution of the Federative Republic of Brazil of 1988 (Brasil, 1988), it is noted that the concentration of functions and responsibilities attributed to the Federal Government, along with its coordination of federal education policies, are factors that weaken the role of state-level actors in exercising legislative capacity on matters of local interest. The Federal Government not only holds legislative authority but also exhausts the matter when exercising its general jurisdiction, as stated in Article 24 of the Federal Constitution (Brasil, 1988). As a result, the role of the states is confined to residual matters—typically devoid of substance, applicability, or even objective relevance (Almeida, 2000; Cury, 2010; Gonzalez, 2011; Moraes, 2009; Ranieri, 2020; Tomio & Ricci, 2012).

² See Tomio and Ricci (2012).

This scenario becomes even more acute when examining the legislative powers in education available to ALEMA. The Executive Branch retains, almost exclusively, most of the state's powers, leaving ALEMA to exercise solely its supervisory functions and responsibilities pertaining to its internal organization or administrative matters (Borges, 2018).

Consequently, state deputies find themselves in an unpromising position within the educational policymaking process, as any matter not falling under their exclusive jurisdiction typically requires gubernatorial approval in order to be enacted. Therefore, the effective participation of the deputies tends to take place within a highly unpredictable arena. This is especially true when considering the institutional context in which the relationship between the Executive and Legislative Branches is operationalized.

In this regard, an analysis of Brazil's politico-administrative organization suggests that the relationship between the Executive and Legislative Branches in Maranhão is characterized by a combination of strong agenda-setting powers held by the former and excessive centralization of legislative decision-making in the hands of the latter—replicating the same dynamics observed at the federal level by Figueiredo and Limongi (2001).

From the perspective of the federal system, particularly in regard to the distribution of constitutional competencies, it becomes evident that all matters relevant to the definition of public policies, the establishment of budgetary priorities, and the allocation of resources fall under the exclusive initiative of the Governor of Maranhão—as does nearly every matter related to administrative organization. The most significant mechanism through which this dynamic is realized lies in the Governor's ability to enact Provisional Measures (MPs), which carry the force of law and produce immediate legal effects without requiring prior authorization from ALEMA (Maranhão, 1989, art. 42, I).

Moreover, the Governor also holds the prerogative to request urgency for all proposals submitted to the Maranhão State Assembly, thereby requiring the deputies to vote within a short 45-day period. Failure to meet this deadline results in the legislative agenda being blocked, effectively halting deliberations on any other matters proposed by the deputies themselves. Should the Legislative Branch propose and approve any measure that does not align with the Governor's preferences or definitions, the Governor is further empowered to exercise the right of veto. Once the proposal is returned to ALEMA, it can only be overridden by an absolute majority vote of the deputies (Maranhão, 1989, arts. 46–48).

On the other hand, the potency with which this model is implemented is ensured by the structuring of ALEMA's institutional arrangement, which serves as its enabler. Based on the definitions provided by Andrade (1998) and Abrucio (1998) regarding the organization of political parties within the legislature—particularly their positioning in relation to key decision-making bodies such as the Executive Board (Mesa Diretora) and the Committee on Constitution, Justice, and Citizenship (CCJ)—the scenario observed between 2003 and 2018, through the formation of

Parliamentary Blocs, is one of absolute government and alignment with the Executive. This condition is further facilitated by the persistent presence of a cohesive bloc supporting the head of the Executive Branch, as the ongoing reconfiguration of political parties within ALEMA consistently ensures a majority vote.

This institutional tension, ordered by internal rules, creates a two-way street for policy actors, producing incentives or disincentives throughout the legislative process. That is, depending on who initiates the legislative action, the behavior of the Executive Board and the CCJ may shift, influencing policy outcomes—from admissibility to legal scrutiny—and rendering the proceedings either more burdensome or more expedited.

Legislative Output in Education and Executive–Legislative Relations

Having clarified the federal and institutional contexts in which the Executive and Legislative Branches of Maranhão operate, it is important to highlight that the interpretation and analysis of the data presented herein are based on two key findings. First, the federal context reflects the actual possibilities available to governors and parliamentarians in the formulation of educational policies. Second, the institutional context determines the extent to which the relationship between Maranhão’s Executive and Legislative Branches will influence the outcomes of such policies, pointing to how the checks and balances system will be operationalized.

Thus, beginning with an overview to identify the composition of legislative proposals on education submitted to ALEMA between 2003 and 2018, Table 1 shows a total of 481 proposals. Of this total, 379 (78.7%)—comprising Bills (PL) and Proposed Constitutional Amendments (PECs)—were submitted by deputies, while 102 (21.2%)—comprising Bills, PECs, and Provisional Measures (MPs)—were introduced by the governors.

Table 1

Legislative Proposals on Education Submitted and Enacted into Law, by Author, Type, and Legislature (2003–2018)

Legisla- ture	Executive								Legislative					
	Submitted				Enacted into Law [TNJ]				Submitted			Enacted into Law [TNJ]		
	PEC	MP	PL	Total	PEC	MP	PL	Total	PEC	PL	Total	PEC	PL	Total
15th	4	5	29	38	4	2	29	35	1	100	101	1	60	61
16th	0	6	6	12	0	6	5	11	4	131	135	2	62	64
17th	0	10	9	19	0	10	8	18	0	80	80	0	39	39
18th	0	14	19	33	0	14	19	33	1	62	63	0	30	30
Total	4	35	63	102	4	32	61	97	6	373	379	3	191	194

Source: prepared by the authors based on the research database.

This volume of education-related proposals illustrates how the constitutional and institutional limitations imposed on the Legislative and Executive Branches are decisive in determining the number of projects submitted during the period. These numbers vary across legislatures, given the limited legislative capacity of the deputies when compared to the volume of initiatives introduced by the Executive Branch.

This scenario is, in part, naturally shaped by the provisions of the State Constitution of Maranhão, which grants the Governor a significant set of legislative powers. However, beyond constitutional limitations, there is a clear indication of the deputies' lack of interest in the subject of education, as they are particularly constrained by the Executive's agenda. In the legislatures where the Executive submitted a greater number of proposals, a corresponding decrease in submissions from the deputies is observed.

Regarding the success rate of both Branches—that is, the number of proposed projects that were enacted into law within the same legislature—a significant difference can be observed between their respective approval rates. Of the 102 proposals submitted by the Executive Branch, 97 were enacted into law [TNJ] (Table 1), corresponding to a success rate of 94.6% (Table 2). In other words, all Proposed Constitutional Amendments (PECs) were enacted into law, as were 91.4% of the Provisional Measures (MPs) and 96.8% of the Bills (PLs). The 18th Legislature, during the administration of Flávio Dino of the Communist Party of Brazil (PCdoB), recorded the highest approval rate, with 100% of the proposals enacted into law. The administration of Reinaldo Tavares, of the Liberal Front Party (PFL), showed the lowest approval rate: of the 38 proposals submitted, 35 were enacted into law, representing a 92.1% success rate (Tables 1 and 2).

Table 2
Success Rate of the Executive and Legislative Branches in the Approval of Education Laws in ALEMA – 15th to 18th Legislature

Legislature	Executive Branch Success Rate (%)	Legislative Branch Success Rate (%)
15th (2003– 2006)	92.1	60.3
16th (2007– 2010)	91.6	47.4
17th (2011 – 2014)	94.7	48.7
18th (2015 – 2018)	100	47.6
Total	94.6	51

Source: prepared by the authors based on the research database.

As for the Legislative Branch, of the 379 proposals submitted by the deputies, only 194 were enacted into law, representing an approval rate of 51% (Tables 1 and 2). Among these, 50% were Proposed Constitutional Amendments and 51.2% were Bills. In other words, the deputies saw nearly half of their proposals rejected or shelved during the plenary process. Analyzing each legislature, Table 2 shows that the 15th Legislature marked the period in which the parliamentarians approved the highest number of proposals, with 60.3% of them enacted into law, coinciding with the same period in which the Executive Branch submitted the highest number of

proposals across all legislatures. However, this period also registered the second-lowest success rate for the Executive (92.1%). The 16th Legislature, on the other hand, had the lowest approval rate (47.4%): of the 135 proposals submitted, only 64 were approved.

These figures reveal how the relationship between governors and deputies varies over time, depending on the institutional and party-political configuration within ALEMA. The explanation for the observed discrepancy in legislative initiative lies not only in the agenda-setting power of the governors but also in the party structure within the Maranhão State Assembly.

Furthermore, when comparing the themes of the education-related proposals submitted and approved by these two Branches, a clear division of legislative labor becomes apparent. Throughout the entire period analyzed (Table 3), the deputies' agenda is composed predominantly of parish-oriented and symbolic themes. Of the 194 approved proposals, 116 concern public utility declarations and 34 involve tributes, the creation of commemorative dates, and the naming of public spaces—totaling 150 laws (78.1%).

Among the other topics submitted and approved, the category of educational organization accounted for the highest number of proposals (90), followed by school curriculum (57) and higher education (37). In terms of success rate, school curriculum had the highest approval rate (28.4%), while higher education had the lowest (13.3%). Notably, during the 18th Legislature, the deputies registered the lowest participation in matters related to higher education, with none of the submitted proposals being enacted into law (Table 3).

In summary, it is important to highlight that of the 379 proposals submitted by deputies between 2003 and 2018, 48.5% (184) dealt with educational organization, school curriculum, and higher education—an amount greater than the number of proposals concerning parish-oriented and symbolic themes, which totaled 165. Nevertheless, while the latter recorded an approval rate above 90%, the proposals on educational organization, curriculum, and higher education had a success rate of only 22.2% (41).

Table 3

Proposals Submitted and Enacted into Law in ALEMA, by Category, by the Executive and Legislative Branches, from 2003 to 2018

Thematic	Executive								Legislative					
	Submitted				Enacted into Law [TNJ]				Submitted			Enacted into Law [TNJ]		
	PL	PEC	MP	Total	PL	PEC	MP	Total	PL	PEC	Total	PL	PEC	Total
A	0	0	0	0	0	0	0	0	56	1	57	16	0	16
B	20	2	4	26	20	2	4	26	36	1	37	5	1	6
C	18	2	18	38	17	2	15	34	8	2	10	2	0	2
D	4	0	1	5	4	0	1	5	16	0	16	1	0	1
E	16	0	8	24	15	0	8	23	88	2	90	17	2	19
F	5	0	4	9	5	0	4	9	4	0	4	0	0	0

G	0	0	0	0	0	0	0	0	116	0	116	116	0	116
H	0	0	0	0	0	0	0	0	49	0	49	34	0	34
Total	63	4	35	102	61	4	32	97	373	6	379	191	3	194

Legend: A = school curriculum, B = higher education, C = education funding, D = infrastructure, E = educational organization, F = supplementary program, G = parish-oriented project, H = symbolic project.

Source: prepared by the authors based on the research database.

In contrast, Table 3 reveals that the Executive Branch’s agenda is fundamentally focused on budgetary, financial, and administrative matters—namely, on enacting norms that regulate the State’s administrative apparatus in the field of education. An analysis of the content of such proposals shows that the thematic categories are generally concentrated in higher education, education funding, infrastructure, and supplementary programs. Their objectives include: setting the minimum salary, statute, and career and pay plans for the teaching profession; establishing the “Mais Bolsa Família – escola” program; the full-time education program and the state-level “cidadão do mundo” program; creating teaching positions; founding universities and school councils; developing the State Education Plan; creating specific funds for education financing³; and establishing the council for the Fund for the Maintenance and Development of Basic Education and the Valorization of Education Professionals (FUNDEB), among others

Given such content, it may be stated that the constitutional limitations and restrictions outlined in Articles 30, 31, and 43 of the State Constitution of Maranhão function as a “funneling” of what is established for education under Article 217. This is because a large portion of the responsibilities described in Section I of Chapter VI may only be legislated by the State Executive Branch (Maranhão, 1989).

Another indication of a potential transfer of decision-making prerogatives from the Legislative Branch to the Executive lies in the number of gubernatorial proposals that did or did not receive amendments during the decision-making process in ALEMA. Of the 102 proposals submitted, only 31 received amendments, and more than half of these (19) were rejected by the Committee on Constitution, Justice, and Citizenship (CCJ), as shown in Table 4.

Table 4

Frequency of Education Proposals Submitted to ALEMA by the Executive Branch That Received Amendments, from 2003 to 2018

Type	Reinaldo Tavares (PFL)			Jackson Lago (PDT) / Roseana Sarney (MDB)			Roseana Sarney (MDB)			Flávio Dino (PCdoB)		
	E	R	A	E	R	A	E	R	A	E	R	A
PL	6	4	2	1	0	1	2	0	2	8	4	4
PEC	1	0	1	0	0	0	0	0	0	0	0	0
MP	9	8	1	1	0	1	0	0	0	3	3	0

3 —such as the creation of FAPEMA.

Total	16	12	4	2	0	2	2	0	2	11	7	4
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Source: prepared by the authors based on the research database.

It is clear that during the administrations of Reinaldo Tavares (PFL) and Flávio Dino (PCdoB), all proposed amendments were rejected—12 and 7, respectively. Under Reinaldo Tavares’s government, the 12 rejected amendments addressed the salaries and statute of public school teachers at the primary and secondary levels in the state of Maranhão. In the case of Flávio Dino’s proposals, most amendments related to the creation of the State University of the Tocantina Region of Maranhão (UEMASUL/Imperatriz), followed by amendments concerning the salaries of public servants in the basic education teaching subgroup. In other words, administrative matters falling under the exclusive jurisdiction of the Executive Branch, particularly in relation to education funding.

When it comes to policymaking that falls under the exclusive jurisdiction of the Executive—such as those involving education funding—the amendment phase represents the opportunity for deputies to participate in the decision-making process of these policies, especially to express the demands of various segments of society. Given this, why would the deputies relinquish such a prerogative? More precisely, why would ALEMA—the natural locus for political decisions and choices—give up defining adequate public policies, when, in principle, responding to the people’s demands could influence the re-election of those involved?

An analysis of the authorship of these amendments reveals that their approval or rejection is entirely dependent on the party alignment of the deputies. Institutional factors within ALEMA, to a certain extent, constrain the ways in which deputies operate⁴—having lost the ability to influence the legislative process individually (as a result, above all, of the Executive Branch’s agenda-setting powers and the procedural strength granted to certain internal ALEMA bodies). Thus, in order for a deputy’s amendment to be approved by the Committee on Constitution, Justice, and Citizenship (CCJ), they must be part of a bloc aligned with the governor and/or that bloc must hold substantial influence in ALEMA’s decision-making process. Otherwise, the proposal is rejected, as demonstrated in Table 4.

Therefore, this is not necessarily a matter of unwillingness, patrimonialism, or inefficiency (although those elements may also be present), but of institutional constraints which, according to Schier (2016), hinder decision-making, introduce or remove key issues from the agenda, and condition the content of public decisions and choices.

On the other hand, whether or not deputies choose to propose amendments across different legislatures suggests, beyond the need for collective negotiation, a relinquishment of their powers in an attempt to reap the benefits of the educational policies proposed by the head of the Executive Branch. That is, deputies either spend political capital to garner support and secure approval for the amendment under discussion/vote in the Plenary, or they “piggyback” on the policies proposed

4 Of the 379 proposals initiated by parliamentarians, 358 were submitted individually.

and approved by the governor. The latter scenario is typically the expected one. As deputies allow the governor to exercise maximum capacity in approving policies, the likelihood of securing benefits for their electoral bases increases—suggesting a relationship aimed at satisfying mutual interests or advancing shared preferences.

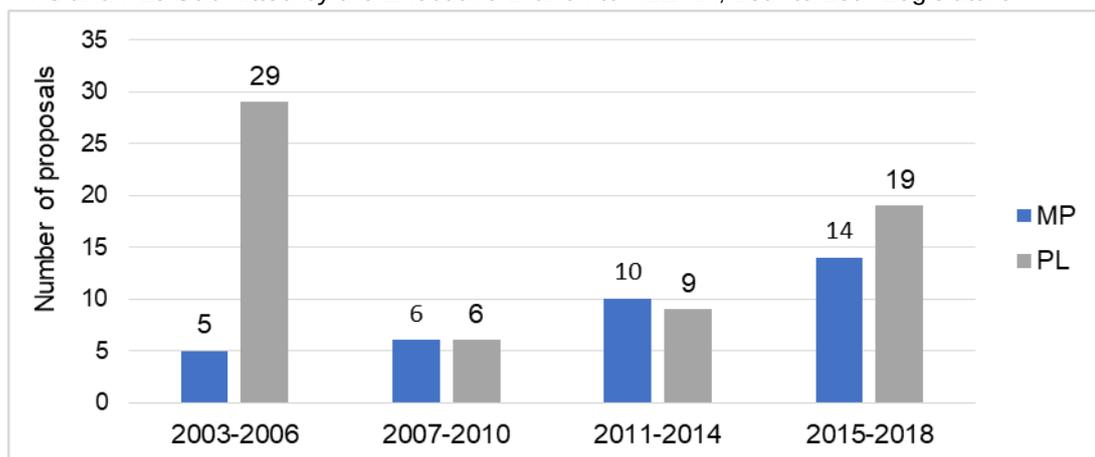
Another factor that highlights ALEMA's institutional fragility is the Executive Branch's ability to influence or control the decision-making process. That is, both the power to prioritize certain matters (as their legislative initiative outweighs that of the deputies) and the power to determine the course of such matters derive primarily from the governors' agenda-setting prerogatives. These include the ability to issue Provisional Measures (MPs), request urgency in the review of proposals they have submitted, and exercise both total and partial vetoes—tools that contribute to the implementation of their legislative agenda in education.

With regard to Provisional Measures (MPs), it is clear that 35 were submitted during the period under analysis, of which 32 (91.4%) were enacted into law, with 43.8% of them occurring during the 18th Legislature. As for the rejected MPs, all of them took place during the 15th Legislature (Table 1).

When comparing the number of Provisional Measures and Bills used by the governors, it becomes evident that these instruments have become the main tools of intervention by the Executive Branch in the legislative process. In other words, the governors of Maranhão, for the most part, implemented their agenda in the Legislative Branch using both ordinary initiatives and extraordinary mechanisms—namely, the MPs—in relatively equal measure, as shown in Graph 1.

Graph 1.

MPs and PLs Submitted by the Executive Branch to ALEMA, 15th to 18th Legislature



Source: prepared by the authors based on the research database.

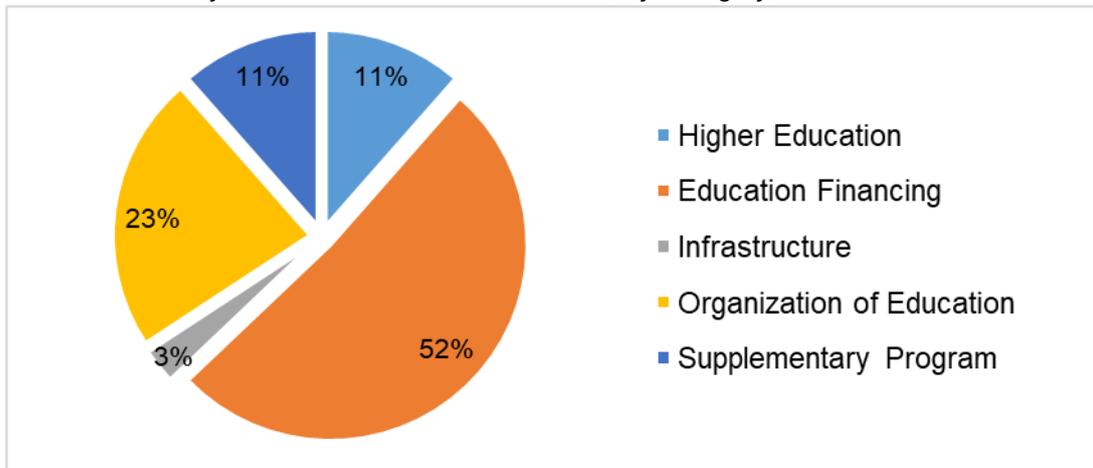
The premise cannot be ruled out that, with or without the power to issue Provisional Measures (Ricci & Tomio, 2012), the governors of Maranhão would control the limited decision-making agenda in ALEMA, given that the centralization of decisions within the Assembly strengthens the Executive Branch's role in the legislative process. However, it is believed that the use of MPs in educational matters is not merely linked to this legislative success—as is often the case with Bills (PLs)—but

above all to the content of the proposals and their capacity for immediate implementation.

As a first consideration regarding the substance of these prerogatives, Graph 2 shows that more than half of all Provisional Measures issued across all legislatures addressed matters related to education funding (52%), supplementary programs (11%), and infrastructure (3%)—topics over which the power to initiate legislation lies exclusively with the head of the Executive Branch.

Graph 2.

MPs Submitted by the Executive Branch to ALEMA, by Category, from 2003 to 2018



Source: prepared by the authors based on the research database.

Moreover, the MP's feature of producing immediate legal effects upon its publication—subject only to subsequent legislative approval—demonstrates a growing tendency for governors to make use of this instrument. That is, even in the rare cases where ALEMA rejected an education-related decree issued by the Executive Branch, the effects of the measure came into force—albeit briefly—until it was explicitly rejected or amended. This demonstrates that, in relation to the Legislative Branch, MPs “affect the structure of parliamentary preferences, inducing them to cooperate. Given the cost of rejection [of the measure], deputies may find it preferable to approve it, considering the effects already produced during its period of validity” (Figueiredo & Limongi, 2001, p. 38).

Therefore, it must be emphasized that even if the provisions contained in a rejected or expired MP lose their legal force and cease to produce effects, the effects already produced are not automatically or retroactively nullified—unless ALEMA issues a legislative decree regulating the legal relationships resulting from the loss of the Provisional Measure's validity. This reinforces the understanding that the Executive Branch's dominance over the decision-making process through the use of Provisional Measures should not be interpreted as mere “delegation” from ALEMA to the governor, but rather as a renunciation of its legislative rights and powers. This renunciation does not merely reflect a passive stance by the deputies, but, more fundamentally, an imposition of the institutional arrangement itself.

Moreover, the compatibility and stability of the Executive Branch's control over the Legislative Branch, as well emphasized by Amorim Neto and Tafner (2002) and Santos (2003), are ensured not only by the degree of alignment between the deputies and the Executive's policy program, but, more importantly, by access to political appointments granted by the Executive in exchange for cooperation. This phenomenon is confirmed through the formation of coalition cabinets in Maranhão, composed of members from ALEMA's parliamentary majorities appointed to State Secretariat positions. In other words, pro-government parliamentarians benefit from access to resources that can be allocated to their electoral bases, thereby facilitating the implementation of the governors' legislative agenda without significant opposition.

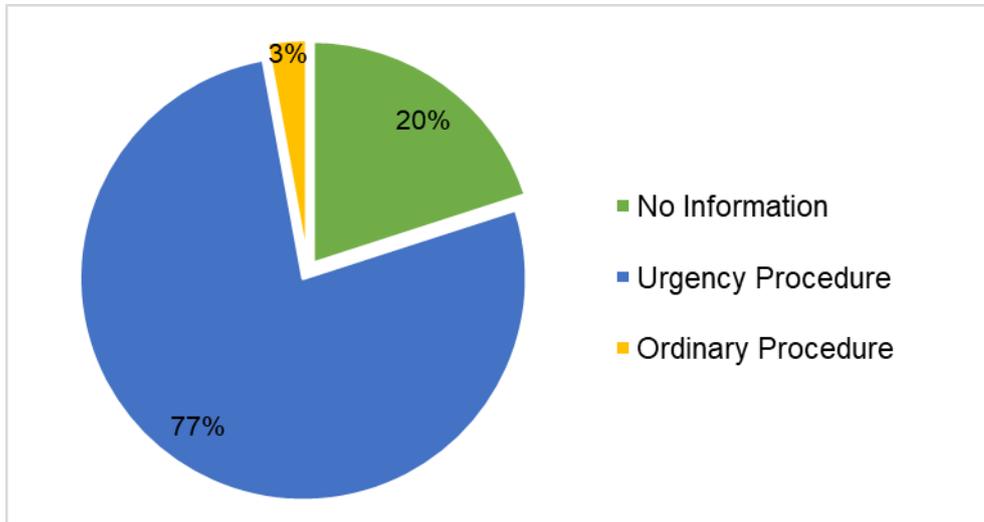
Regarding the review of legislative proposals, it is noteworthy that the request for urgency further contributes to the Legislative Branch's relinquishment of its rights in the face of Executive action. The urgency regime means that parliamentarians are granted a legally fixed period to deliberate on a given matter. If the deadline is not met, all other legislative deliberations are suspended until the urgent item is voted upon. Additionally, this procedure disrupts the legislative process itself, as regardless of the complexity of the matter or the interests and groups involved, the proposal is removed from the committees and placed directly on the agenda for plenary deliberation (Inácio, 2006; Santos, 2003).

In the case of ALEMA, the institutional rule of urgency or priority assigned to Provisional Measures serves as a mechanism that clearly favors the Executive Branch while undermining the legislative performance of the deputies, given the delays imposed on the voting of their own proposals. As shown in Table 1, the legislatures with the highest number of submitted and approved MPs were the 17th and 18th, with 10 and 14, respectively. During this same period, the parliamentarians had their lowest performance in approving their own legislative proposals.

Therefore, the volume of MPs submitted by the Executive Branch ends up paralyzing the Legislative Branch's agenda, as illustrated in Graph 3. More precisely, considering the institutional relevance attributed to legislative procedures, it becomes evident that Provisional Measures are given greater importance—which is also reflected in their proven effectiveness.

Graph 3.

MPs Submitted by the Executive Branch to ALEMA, by Processing Regime, from 2003 to 2018

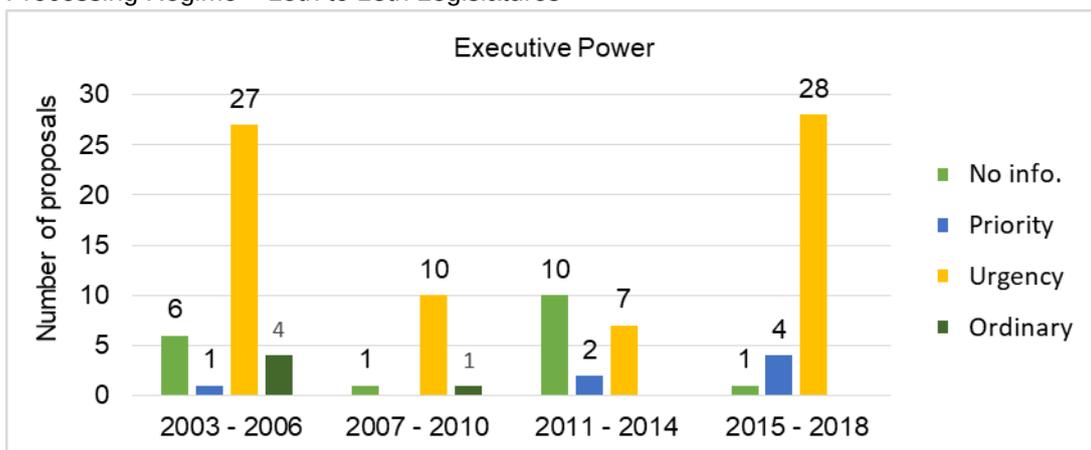


Source: prepared by the authors based on the research database.

When analyzing the other types of legislative instruments—Bills (PLs) and Proposed Constitutional Amendments (PECs)—used by both the Legislative and Executive Branches, Graphs 4 and 5 show that in all legislatures (2003 to 2018), the processing of proposals from the Legislative Branch was predominantly carried out under the ordinary regime, in contrast to those from the Executive Branch. In turn, the majority of the Executive Branch’s Bills (PLs) and Proposed Constitutional Amendments (PECs) were processed under the urgency or priority regime.

Graph 4.

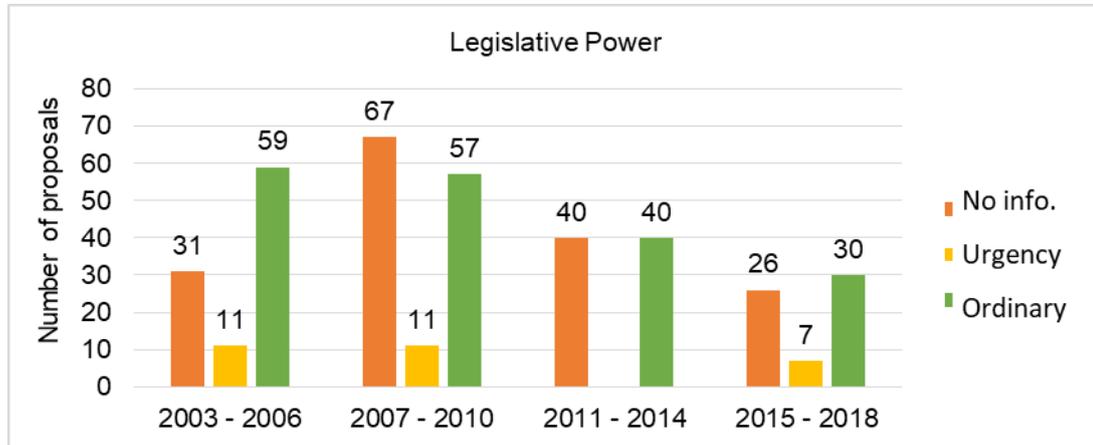
Frequency of Education Proposals Submitted by the Executive Branch to ALEMA, by Processing Regime – 15th to 18th Legislatures



Source: prepared by the authors based on the research database.

Graph 5.

Frequency of Education Proposals Submitted by the Legislative Branch to ALEMA, by Processing Regime – 15th to 18th Legislatures



Source: prepared by the authors based on the research database.

Just as is the case with Provisional Measures (MPs), it becomes clear that for other types of legislative instruments, the more time is allocated in the decision-making process to matters initiated by the governors—due to the prerogative of urgency—the less time remains available for analyzing proposals introduced by the deputies themselves (Santos, 2003), which partially contributes to the legislative failure of their initiatives.

Another crucial component of the Executive’s agenda-setting power is the prerogative to veto, either wholly or partially, the bills or amendments approved by the deputies. This is, precisely, a quintessential mechanism through which the Executive Branch can intervene in parliamentary decisions and prevent legislation from deviating from its preferences—representing the governor’s final opportunity to interfere in the legislative process.

In the case of ALEMA, both total and partial vetoes suggest that the prevailing logic between the Legislative and Executive Branches is one of subordination of the former to the latter. An analysis of Table 5 reveals that in instances of preference conflict between the two Branches—expressed through partial or total vetoes—the will of the state governors prevails in almost all cases. That is, of the 72 vetoes issued, 66 were upheld in ALEMA’s voting sessions, representing an approval rate of over 90%.

Table 5

Frequency of Vetoes Submitted by the Governors to ALEMA – 15th to 18th Legislature

Legislature	Partial Veto			Total Veto			Overall Total
	Overtur- ned	Invalide- d	Upheld	Overtur- ned	Invalide- d	Upheld	
15th	0	0	2	1	0	10	13
16th	0	0	2	2	3	22	29
17th	0	0	2	0	0	19	21

18th	0	0	0	0	0	9	9
Overall Total	0	0	6	3	3	60	72

Source: prepared by the authors based on the research database.

An analysis of each legislature reveals that the success or failure of vetoes—or even their frequency during each period—is closely tied to the political conflicts within ALEMA itself. The 17th and 18th legislatures stand out as the periods with the highest number of vetoes upheld, with 100% (30) of them accepted by the Assembly. Notably, between 2011 and 2014, Governor Roseana Sarney, of the Brazilian Democratic Movement (MDB), not only issued a large number of vetoes but also succeeded in having them upheld.

These two legislatures, within the period under study, represent the greatest degree of political stability within ALEMA. Both Roseana Sarney (MDB) and Flávio Dino (PCdoB) maintained strong legislative dominance, with only 5 and 8 political parties, respectively, opposing their agendas. In Roseana Sarney’s case, the scenario was even more favorable, as she held 37 votes in her favor, while the opposing votes came from a parliamentary bloc composed of small parties—namely, the Social Progressive Party (PSP), the Popular Socialist Party (PPS), and the Communist Party of Brazil (PCdoB). Such a political landscape provided ample room for the Executive to assert its will and pursue its objectives.

Conversely, the 15th and 16th legislatures saw all vetoes either rejected or invalidated by ALEMA—1 and 5 vetoes, respectively—with the 16th legislature registering the highest overall number of total vetoes (29). While rejected vetoes represent a disagreement by the deputies with the governor’s position (an infrequent occurrence), invalidated vetoes are those submitted by the Executive after the legal deadline, which results in the tacit enactment of the law without any interference by the governor. This situation occurred three times within ALEMA.

It is worth noting that the large number of vetoes recorded between 2007 and 2010 correlates with a power transition in the Executive Branch, during which Jackson Lago—of the Democratic Labour Party (PDT)—and Roseana Sarney (MDB) alternated leadership during the 16th Legislature. The political reconfigurations resulting from this transition produced a divided Assembly, in which the sitting governor had the support of no more than 16 deputies—undoubtedly leading to heightened “conflict” between the Legislative and Executive Branches, as more than half of the parliamentary seats did not support the administration in office. Evidence of this dynamic is that all rejected or invalidated vetoes occurred during the last two years of Roseana Sarney’s administration and stemmed from proposals submitted by parties allied with Jackson Lago (PDT).

A curious fact is that the two legislatures with the lowest number of education-related proposals submitted by governors—the 16th and 17th (Table 1)—also recorded the highest number of vetoes. Between 2007 and 2010, Jackson Lago and Roseana Sarney submitted 12 Bills [PLs] and Provisional Measures [MPs],

while vetoing 29 of the 135 proposals presented by the deputies. In the 17th Legislature, Roseana Sarney submitted 19 PLs and MPs and vetoed 21 of the 80 projects proposed by parliamentarians (Tables 1 and 5). This demonstrates that ALEMA not only fails to approve its own agenda in education but also abdicates its prerogatives—relinquishing part of its powers and responsibilities in favor of the Executive Branch.

The former is tied to the need to build agreements and form majorities within the Assembly (a task far from simple and not automatically achieved, precisely due to ALEMA’s internal conflicts), while the latter suggests the formalization of a subordination pact between the two Branches, considering that the Executive consistently secures a majority in the Assembly and succeeds in approving nearly everything it submits to the Executive Board (Mesa Diretora). In short: the Legislative does not act—but allows the Executive to do so.

Moreover, it is noteworthy that the projects vetoed by the Executive and upheld by the Legislative predominantly address matters related to educational organization, curriculum, and higher education—which together account for 88.8% (64) of the vetoes. Although ALEMA possesses exclusive institutional prerogatives to deliberate on constitutional matters, the pattern of interaction regarding education policy between the Executive and Legislative Branches in the state is, more often than not, dictated by the Executive. This becomes even clearer when examining the themes of the proposals, as regardless of content, the will of the Executive almost always prevails (Table 6).

Table 6

Frequency of Vetoes Submitted by the Governors to ALEMA, by Category, from 2003 to 2018

Category	Partial Veto	Total Veto	Overall Total
School Curriculum	2	15	17
Higher Education	0	22	22
Education Funding	0	1	1
Infrastructure	0	1	1
Educational Organization	3	22	25
Supplementary Program	0	1	1
Symbolic Project	1	4	5
Overall Total	6	66	72

Source: prepared by the authors based on the research database.

Given this scenario, it is reasonable to state that all governors appear to function as seemingly strong Executives within ALEMA, as in all legislatures they succeeded in having their vetoes upheld at predominantly high rates, ensuring that proposals misaligned with their agendas were not approved.

On the other hand, the subordination pact materializes insofar as the deputies relinquish their powers of veto, obstruction, and oversight, along with any real responsibility in the formulation of educational policies, in exchange for state funds to maintain their political careers. This dynamic is made evident through the pro-government alignment observed in all legislatures examined here, manifested in

ALEMA through the construction of a clientelist government coalition (Andrade, 1998), which effectively ensures the almost automatic maintenance of the Executive Branch's political agenda.

| Final Considerations

The analysis of the Legislative Branch of Maranhão between 2003 and 2018 revealed how the separation of powers is structured within the State. The strength of the Executive Branch in dominating the decision-making process—evident through the volume of proposals, success rate, amendments, veto reversals, and the quality of the initiatives—highlights the institutional weaknesses of ALEMA in organizing its own political agenda.

Reading the data through the lens of federal and institutional contexts allowed for an analytical path that led to the conclusion that ALEMA does not perform its typical function of legislating on education, thus contributing to a legislative deficit in terms of quantity, quality, and effectiveness of educational policy in the State.

To illustrate what this scenario represents, while the average success rate of the Executive Branch hovers around 95%, that of the Legislative Branch fluctuates between 47% and 60%, demonstrating that institutional efforts to deliberate on certain interests work in favor of specific actors, as they create greater incentives for the governors' agendas. An analysis of the content of these laws further clarifies the role played by Maranhão's deputies, as it is not merely a case of legislative activism, but also a matter of what is actually submitted and approved in the Assembly.

Thus, although the volume of proposals suggests that state deputies are highly active in submitting bills—indicative of significant propositional activism—half of these (185) are rejected, shelved, or vetoed during the government stage. Moreover, of those that are approved, approximately 80% (150) concern parish-oriented or symbolic topics, revealing the low normative quality or relevance of the parliamentary agenda.

Furthermore, since deputies are constitutionally limited in proposing many of the themes related to education, one way to participate in the legislative process would be by amending proposals initiated by the governor. However, the political costs of submitting and approving such amendments are high. This is not only due to the weakness of the permanent committee system and the concentration of power within the Executive Board, but above all because of the pro-government alignment that prevails in ALEMA—considering that in almost every legislature, the Executive had more than 30 votes in its favor. In this context, the deputies' actions are limited to participation within blocs that support the head of the Executive Branch. Otherwise, they are politically isolated, with no agenda-setting power.

As a result—given the internal conflicts present—there is a complete political and partisan disorganization, leading deputies to lose interest in non-clientelist topics.

This, in turn, results in either the rejection or shelving of proposals related to educational organization, school curriculum, and higher education.

With regard to institutional mechanisms, total and partial vetoes are illustrative of the governors' agenda-setting power in controlling the matters that will be part of the Legislative Branch's education agenda. In addition to blocking proposals that do not align with their interests, governors impose their own legislative priorities on ALEMA's education agenda. At this point, the internal conflicts within ALEMA expose its institutional fragilities in the face of Executive preferences, pointing to a relationship of subordination of the Legislative Branch whenever a conflict of interest arises between the two powers.

Similarly, the Executive Branch's capacity to issue Provisional Measures and to request urgency in the deliberation of its proposals ensures greater success in implementing its agenda. Thus, beyond the governors' influence over the deputies' agenda—as evidenced in all legislatures by the high success rate of their proposals—these two mechanisms limit ALEMA members' ability to advance their own legislative initiatives.

Here, it is not merely about the legislative authority conferred to governors by the MPs, but rather about the effects these measures have on the decision-making process, given that the rule for Executive proposals is to be processed under the urgency regime. As a result, because Provisional Measures are predominantly used by Maranhão's governors and generate shorter deliberation timelines, the Legislative Branch's education agenda tends to be consistently compromised, as it reduces the time available for debate on the deputies' own proposals.

Specifically, since the Committee on Constitution, Justice, and Citizenship (CCJ) filters most proposals introduced to the Executive Board through its formal admissibility role, those submitted under the urgency regime—such as MPs—further diminish the relevance of the other committees, leading these proposals to be taken directly to the Plenary for inclusion on the agenda and approval within an average of less than 60 days. With only a few bodies involved in the decision-making process, the Executive Branch's agenda is not only approved but also progresses more quickly when compared to proposals from the deputies. These findings confirm the harm caused by the centralized decision-making structure that governs ALEMA. The pro-government alignment identified within the Assembly generates political output stability and more predictable behavior—though only in favor of the governors' agenda. When the initiative comes from members of the Maranhão Assembly, there is a tendency to observe what may be called an “institutional atrophy” in the face of the agenda-setting dominance exerted by the Executive Branch in education.

Overall, it may be stated that ALEMA's education agenda reveals its institutional weakening, stemming from an imposing federal context with limited room for maneuver, and a relationship of subordination and political dependence on the state Executive—manifested in the imbalance of power in the formulation of education policies.

Thus, although the deputies are constitutionally defined as the legislators responsible for designing, through the creation of laws, the guidelines that will shape governmental action across different areas of state responsibility, when it comes to the formulation of educational policies, the political system has taken shape through a pact of subordination, as ALEMA is constrained by the prerogatives of the Executive Branch.

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Resumo

O artigo aborda o papel da Assembleia Legislativa do Maranhão (ALEMA) na formulação das políticas educacionais entre 2003 e 2018. Foram analisados 481 Projetos de Lei, Propostas de Emenda à Constituição e Medidas Provisórias visando revelar se os deputados deixam de exercer suas prerrogativas constitucionais em prol da implementação da agenda dos governadores. A hipótese é que a ALEMA não exerce a sua função típica de legislar sobre educação, corroborando para um déficit de quantidade, qualidade e efetividade legislativa. A pesquisa é de caráter quanti-qualitativo, cuja realização se deu por meio da combinação de levantamento bibliográfico e pesquisa documental. A força do Poder Executivo em dominar o processo decisório, expresso por meio do volume propositivo, da reversão de vetos e da qualidade das proposições, evidencia as fragilidades institucionais da ALEMA em organizar a sua própria agenda educacional.

Palavras-chave: Poder Legislativo. Poder Executivo. Legislação. Políticas educacionais.

Resumen

El artículo examina el papel de la Asamblea Legislativa de Maranhão (ALEMA) en la formulación de políticas educativas entre 2003 y 2018. Se analizaron 481 Proyectos de Ley, Propuestas de Enmienda a la Constitución y Medidas Provisionales para revelar si los diputados no ejercen sus prerrogativas constitucionales en favor de la implementación de la agenda de los gobernadores. La hipótesis es que ALEMA no cumple su función típica de legislar en materia de educación, contribuyendo así a un déficit de cantidad, calidad y eficacia legislativa. La investigación es de carácter cuantitativo y cualitativo y se llevó a cabo mediante una combinación de investigación bibliográfica y documental. El poder del Poder Ejecutivo para dominar el proceso de toma de decisiones, expresado a través del volumen de propuestas, la reversión de los vetos y la calidad de las propuestas, pone en evidencia las debilidades institucionales de ALEMA para organizar su propia agenda educativa.

Palabras clave: Poder Legislativo. Poder Ejecutivo. Legislación. Políticas educativas.

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