Chapter 12

The Fall of a Giant: Greed, Corruption and Abuse of Power Undermining Democracy in Brazil

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Abstract This Chapter explores the impact of the financial crisis on Brazilian democracy. We argue that while Brazil is one among many countries facing systemic effects of the 2008 crisis, domestic factors are also important to understand the level of the crisis, and the fragility of democracy at the present. Domestic factors explain, therefore the differences between Brazil and other countries in Latin America and in Europe.

Introduction

Brazil has gone through major changes since the beginning of the twenty-first century, including economic growth and political activism at the global level, symbolized by its participation in the BRICS group of countries, and the role of the latter in the changes of the post–Cold War global order. These positive trends were abruptly interrupted, if not reverted, in the period following the global financial and economic crisis of 2008. In the first years following the crisis, the country was not affected, but by the end of 2012, reduction of growth and rise of inequalities marked the end of the boom. With the impeachment of President Dilma Rousseff in 2016, a U-turn in economic policy towards a neoliberal approach took place, pushed by the opposition as an alternative about how to deal with the economic crisis, but the

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economic results have been meagre and the political effects have been dramatic, leading the more profound and serious threat to democracy since the end of the military regime in the 1980s.

In this chapter, we focus on the political crisis. We argue that the global financial crisis was a trigger of the crisis, but that domestic factors are key to understand the depth of the crisis, and the fragility of democracy at the present, and therefore the differences between Brazil and other countries in Latin America or other regions such as Europe.

With that aim, we firstly situate the current political crisis in the recent history of Brazilian democratization, relying on the seminal work of Brazilian political scientist Leonardo Avritzer, specially his last book, published in 2019. We analyse the key political changes and popular reaction from 2013, when popular demonstrations erupted, to the election of extreme-right President Bolsonaro in 2018. We highlight key facts such as the imprisonment of former President Lula and the assassination of Rio de Janeiro Deputy Marielle Franco to illustrate the degradation of the rule of law and the fragility of democracy. We conclude by pointing to some major challenges ahead.

Pendular Democracy: The Democracy Paradox from 2013 Demonstrations to the Election of Bolsonaro

The crisis of the Brazilian democracy is not a minor ‘detour’, rather a demonstration of some of the structural instabilities of Brazilian institutions and inequalities of Brazilian society. Avritzer (2018) analyses the developments from the 2013 demonstrations to the election of President Bolsonaro, and argues that the process of construction of Brazilian democracy can be characterized as ‘pendular’ both in empirical and normative terms. In this sense, the current period is seen as a setback and reversion from the previous phase of consolidation of democracy and is characterized by another cycle of democratic instability as those that peaked in 1954 and 1964, when two models of development were in contest, a more developmentalist and a more liberal. A key difference, however, is that while during those crises the divergence between Brazilian domestic society reflected Cold War opposing economic models, the current global context is of neoliberal hegemony, and the alignments seem to reflect the contest between the USA and China for leadership (Acharya 2018; Ikenberry et al. 2018).

Despite this difference, as Avritzer identifies a ‘democracy paradox’ in the fact that the current cycle of discontent (‘mal-estar’) with democracy began with demonstrations for better public service, social justice, anti-corruption and more democracy in June 2013, and triggered a set of actions and events, which had the reverse effect. This is not a unique phenomenon, but can be observed as well in other countries (i.e. Arab Spring, USA), where major social movements had appeared and were expected to lead to a major leap forward of democratizations and answering the call for a better global governance and more equity, but indeed brought about instability, unrest and setbacks for democracy and social justice. It is not rare that

the momentum created by indignation, anger and social protest end up being hijacked by one of the movements for the realization of its particular objectives as was the case of the Muslim Brotherhood, or diverted by a counter-movement to the new social movements (case of Trump's populism as a reaction to Occupy Wall Street).

2013 Demonstrations

In the case of Brazil, the original protests of June 2013 were organized by the Movimento Passe Livre (MPL) in protest of a minor increase of the metro and bus tickets in several Brazilian cities and promoting free transport in Brazil. After an initially repressive reaction by the police and security forces and the unjust stigmatization as vandals by the traditional press, the mobilization through social media more than outperformed the expectations of the organizers. While the MPL as well as the participants refused any participation of political parties, they did not engage in 'framing activities' to discuss and find an agreement on the main demands as in Spain (*indignados*) and the USA (Occupy Wall Street). However, the aims of the June 2013 protests were not to bring the government down but to request more and better public services (transport, education, health service) and to fight corruption: thus to improve governance.

The 2013 demonstrations led to a twofold weakening of the Dilma Rousseff government. First by revealing criticism and a diminishing support within the classical electorate of the PT shown by the rise of a considerable protest movement demanding more and better public service during the PT government. Second, it led to the appropriation of (traditional left wing) social movement repertoire such as demonstrations and social media by (centre-)right wing movements officially with the 'noble' motivation to combat corruption and ended up bringing down the left-wing government of the Labour Party (Partido dos Trabalhadores—PT) which was in power since 2003. The social movements protests of the years 2015 and 2016 were clearly directed 'against' the government and PT, and as later revealed financially supported by some industrialists and finance representatives, and stimulated and supported by the special anti-corruption taskforce Lava Jato, Judge Sergio Moro and the traditional media, in particularly the media conglomerate Globo, which gave broad coverage to the demonstrations against the PT and in particularly against Dilma Rousseff and Lula.

While these 2015 and 2016 social movements were 'officially' protesting against corruption, their main purpose and motivation was to bring down the PT government. This became clear when there were neither 'paneladas' nor demonstrations when acting president Michel Temer was wiretapped in a conversation with newspaper JB revealing his implication in a network of corruption, indicating persons of confidence to receive the corruption money who were filmed receiving the bribe the following day. Just as well astonishing was the silence on the revealed implication of family members of the later president Bolsonaro in corruption and relationships

with militias who were involved in the murder of Marielle Franco. The political crisis led to the non-acceptance of the election results of 2014, when President Dilma Rousseff was re-elected.

During 2013, a major media campaign against President Rousseff and PT evolved, blaming them for corruption and incompetence to improve economy. The surprise and narrow (51,64%) victory came as a major shock. The opposition refused to accept the results of the elections for the first time since 1989, and started to boycott all proposals from the government to improve the economy following the strategy of ‘the worse the better’ (*quanto pior melhor*) and of searching reasons to impeach the president. In this context, the ‘national pact to stop the bleeding’ and the Operation Car Wash were created.

Dilma’s Impeachment

The impeachment process followed clean procedures at the formal level.¹ The deterioration of the economy resulted not necessarily by ‘bad administration’ but from global level structural factors such as financial crisis, the fall of global demand for primary resources and the fall of petrol price. Dilma’s government lacked willingness and capacity to build coalitions with other parties and lost political support in Congress and Senate. Dilma herself lacked charisma and lost support of her own electorate after hiring orthodox finance minister Levy and engaging into budget consolidation measures after the re-election.

Economic downturn, Car Wash Operation and street movements during 2015 and 2016 culminated with the impeachment of Dilma in August 2016. Vice President Temer became interim President and changed completely the government programme; he announced a neoliberal strategy ‘Bridge to the Future (*Ponte para o Futuro*)’ in line with the decade-old Washington consensus and a conservative approach in politics, the picture of a white-(old)-men-only government being quite symbolic. According to Carta Capital of 23 September 2016, Michel Temer explained on 21 September 2016 to a group of entrepreneurs and investors in New York that the reason for the impeachment was that Dilma Rousseff refused the proposals of the neoliberal programme. In a television interview in SBT at the end of 2018, Michel Temer admitted that he considered Dilma Rousseff as correct and honest person and did not have the impression that she was somebody to take over the government to enrich herself with public property. His statements and the

¹The main milestones of the impeachment process were: Dec 2015—acceptance of case by the Congress (Pres. Eduardo Cunha after the PT had voted for lifting his immunity in a major corruption case for which he was later condemned; April 2016—Approval at the Congress by the Commission (11/4 38x27) and the Plenary (17/4 367x137); May 2016—Approval at the Senate by the Commission (12/5 55x22) and the Plenary (10/8 59x21); August 2016—Judgement at the Senate presided by the President of the Supreme Court (31/8 61x20 but 42). Note that the Supreme Court supervised the procedure but never examined the merit (cause) of the impeachment.

wiretapped conversation of the Senate PMDP party leader Juca lead to the conclusion that the main purposes of her impeachment were not to fight corruption, but to stop or limit the investigations of Lava Jato and to bring about a complete policy change, thus the dismantlement of the young welfare state introduced by Lula and Dilma into a neoliberal system, what they would not have succeeded by democratic elections.

Temer's Government and the Neoliberal U-Turn

Temer was elected as a vice president, however, for a political programme in line with the former government, explicitly opposing the austerity programmes contained in the 'bridge for the future'. Temer's government quickly went about to adopt policies to reduce workers' rights and protection with the pretext of modernizing and increasing Brazil's attractiveness for investors, weakening the trade unions, and with an extensive possibility of 'outsourcing', deregulated the labour market. While Temer's finance minister had promised the creation of six million new jobs in Brazil, the policy change resulted in an increase of informal work and of unemployment from 11.2% (in May 2016) to 13.1% (in April of 2018). A further measure of the dismantlement of the welfare state were cuts of the social programmes such as the Bolsa Familia, Minha Casa Minha Vida and the programme Universidade para Todos (ProUni). In November 2016, Temer's government succeeded to reduce the minimum quota of 30% of participation of the company in petrol exploitation and lift the exclusive exploitation right for the deep sea (pré-sal). Last but not least, the Temer government succeeded in their attempt as both the Congress and the Senate adopted the so-called 'Teto de gasto' by a constitutional amendment which limits the budget for 20 years to only increase along the inflation rate. All these reforms and sacrifices (of the poorer part of the society) should lead to the economic recovery, which so far turned out rather modest GDP growth of 1.06% for 2017 and 1.12% for 2018. In the same period, inequalities increased; according to the Instituto Brasileiro de Economia da Fundação Getulio Vargas (FGV IBRE), Brazil reached in March 2019 its record rate of inequality of 0.6257%, the highest level of inequality of any democracy in the world.

Foreign policy orientation was also completely reformulated under Temer, from a south-south approach to an alignment with the USA. During the governments of President Lula, from 2003 and 2010, growth was accompanied by an active foreign policy (Vigevani and Cepaluni 2016); since the re-election of Dilma, foreign policy had become practically paralysed (Saraiva 2014; De Oliveira et al. 2018), as well captured in Mello's article title, which states that Brazil changed 'From Euphoria to Inertia' (Mello 2018). The same trend is analysed by Milani et al. (2017), who introduce the concept of 'graduation dilemma' to address structural constraints to changes of the international position of second-tier non-nuclear states, such as Brazil:

At the outset of the 21st century, Brazil was praised for being a responsible rising power. It was held aloft as a development model for other nations of the Geopolitical South, as well as an example of incremental political transition from a civil—military dictatorship to a rights-based society. Brazil's fight against hunger, its inclusive public policies, the increase in the number of public universities, the recognition of a diversified multiracial society, multilateral leadership, a political vision of regional integration processes, and its outreach to African countries, *inter alia*, contributed to Brazil's world-wide acclaim. Developing countries sent envoys to Brasília to analyse the gradual results of social policies being implemented.... In 2017, however, the situation is totally different from that at the beginning of the twenty-first century. Although Fernando Henrique Cardoso, Lula da Silva and Dilma Rousseff had their respective differences and relevant distinctive traits, the three presidents did not deviate from the 1988 Constitution and subsequent political pact that supported Brazil's re-democratization and macroeconomic stabilization. Nevertheless, in 2015–2016 the sense of progressive advancement was disrupted. Something has happened in Brazil in the last two years, and the country now faces one of the greatest institutional, political and economic crises of its Republican period. (Mello 2018, p. 4)

Temer's policies did not manage, however, to revert the economic downturn, and his approval rate was only 5% by the end of his term. According to an opinion poll of the CNI-Ibop at the end of 2018, 74% of the interviewed persons considered Temer's government negative. Moreover, and ironically, he was accused of corruption. In the context of the revelation of Temer's involvement with corruption, there is a twofold puzzle: first why did the chamber of deputies and senate the federal, both institutions that had violently and explicitly been demonstrating zero tolerance for Rousseff, not immediately start an impeachment? Second, where were the social movements against corruption which had been protesting in millions against Dilma Rousseff under the allegiance of creative accountancy (*pedaladas*), when everybody could 'hear' president Temer being implicated in corruption and 'see' the video where his person of trust was collecting and transporting a suitcase with corruption money.

Concerning the first puzzle we have to be aware that most of the deputies which had voted for the impeachment of Dilma would be against the impeachment of Temer, because they would have to admit that they had made a mistake and might face the consequences by not being re-elected. Additionally, a considerable number of deputies were implicated in corruption charges and did not want to risk losing their political mandate, which would lift their immunity, in the case of new elections. Third, according to the journal *Estadão de SP* of 7 January 2018, the government of Temer liberated a record of R\$ 10.7 billion for parliamentary amendments to buy the support of the deputies against an impeachment and in favour of the unpopular bills adopted during the Temer's era. These budgetary amendments dedicate investments in the electorates of the deputies for infrastructure or other needs.

The second puzzle is the relative 'non-reaction' of civil society and the voice of the street, in particularly of the ones, which were protesting with pans and the big anti-corruption movements '*vem pra rua*' (come to the street). However, reading the leaked information of the Lava Jato Telegram conversations reveals that some of these movements had been 'instrumentalized' for a regime change rather than for the fight against corruption. Additionally, some of these movements appear to be financed by major oligarchs who are sympathetic with the economic agenda of Temer. Some interpreted it with the demoralization of the population and the giving

up of hope in positive change, considering all politicians as corrupt. But the comeback of the military also signalled that protest was not totally absent, but rather that control has increased.

Federal Intervention in Rio de Janeiro and the Comeback of the Military

Carnival 2018, which is of major importance in Brazilian culture, surprisingly turned out to be the main manifestation and expression of indignation, outrage and protest. In particular in Rio de Janeiro, two of the major Samba Schools Beija Flor and Tuiuti thematized the corruption and deception and exploitation of the workers in their performances, showing Temer as a vampire, surrounded by dancers with suitcases full of corruption money, workforce as exploited slaves and so on. The audience joined the dancers, and the songs are being played in Samba bar as a sign of resistance. Shortly after the Carnival had ended and around the date of Lula's arrest, Temer's government announced the military intervention in Rio de Janeiro, officially to contain violence, in reality to intimidate the population and to oppress any resistance to the arrest of Lula and against the government measures. This military intervention did not decrease violence, but on the contrary, according to Pablo Nunes, coordinator from the Observatório da Intervenção (2018 report), resulted in the increase of 17% of homicides and 174% of shootings, and achieved a historic record of 1532 deaths caused by public security agents which implies an increase of 34% in relation to 2017.

The Election of Bolsonaro

The economic crisis and change of approach that began in Temer's government evolved into a crisis of democracy that led to the election of extreme-right President Jair Bolsonaro in the end of 2018. Bolsonaro's government was elected with the support of three main groups, which can be referred to as the 'neoliberals', the 'military' and the 'ideological' (Pinto 2019). The 'neoliberals' are represented by Minister of Economics Paulo Guedes, who has a de-regulation, privatization and free-trade agenda. This agenda is not new in Brazilian politics, as it was advanced in the beginning of the 1990s by President Fernando Collor, and parts of the agenda by most governments since then. The 'military' is a less homogeneous group, including lower-rank pro-Bolsonaro groups and high-ranking groups with a sometimes divergent approaches to international security matters such as Venezuela, UN peacekeeping and domestic security matters such as the Amazon. The 'ideological' is an even less homogeneous group, labelled here mainly for the dogmatic approach to normative issues including environment, human rights, religion and gender, often inspired by Olavo de Carvalho, a Brazilian living in the USA referred in the media

as Bolsonaro's 'guru', and the US-based 'alt-right' movement. Carvalho has kept contact with other right-wing politicians and instigators in the world such as Steve Bannon, Victor Orban and Matteo Salvini, in addition to Donald Trump. This group has also influence in the Minister of Foreign Affairs, Araújo. These groups and their political agendas do not share a coherent political project, rather they advance mostly in clientelist fashion, specific interests which are often contradictory. Despite this weakness and mounting discontentment, Bolsonaro's government has been successful to be proactive and keep the opposition in a defensive position.

Lula's Imprisonment and the Assassination of Marielle: Rule of Law Under Threat

Two developments during the political crisis evolving in the last years are key to understand the depth of the democratic crisis in Brazil and the threat to the rule of law, namely, the imprisonment of former President Lula and the assassination of Rio de Janeiro-elected Deputy Marielle Franco.

As already discussed, the campaign against corruption during PT governments was empowered by the creation of the so-called operation Car War (Operação Lava-Jato), instituted by the Federal Public Ministry (Ministério Público Federal). Despite the successes in many investigations, the operation has been criticized in terms of the use of plea bargaining (*delação premiada*) and its bias against PT and former President Lula, which included a strategic cover by the media such as Rede Globo, a powerful conglomerate by Marinho family (Bottino 2016; Cioccarri 2015). Lula was sentenced in two cases and accused in five other penal cases, and is in prison since April 2018.² Lula's imprisonment has launched a campaign to set him free (*Lula Livre*), led by PT and Brazilian artists such as Chico Buarque, who was a symbol of the resistance against the military regime and includes the support from a broad range of intellectuals and institutions worldwide such as the UNHR High Commissioner in 2018 and the UNHR Council in 2019; Lula was also nominated a candidate to Nobel Peace Prize for his Fight Against Hunger and Poverty, following a petition led by Perez Esquivel.

The second development which is key to understand the crisis of Brazilian democracy is the assassination in March 2018 of then elected member of the Rio de Janeiro city Council, Marielle Franco, and the interconnected relations between Bolsonaro's family and the militia. As David Miranda, also member of Rio's City Council and husband of American journalist Glenn Greenwald, stated: 'Finding who ordered her death is key to the most important political cause of our time:

²The cases were (1) July 2017—sentenced for money laundering and passive corruption by then Federal Judge Sergio Moro TRF-4 (beach apartment Guarujá worth USD 1m bribe); January 2018—appeals court upheld decision; April 2018—started sentence in Curitiba; and (2) February 2019—sentenced by Federal Judge Gabriela Hardt (renovation Works in ranch in Atibaia Worth USD 460,000 bribe).

stopping authoritarianism in Brazil'.³ Miranda claims that Marielle 'was executed by a group known as "The Crime Bureau" – a shadowy and elusive organisation which commits murder at the bidding of politicians, criminals, right-wing paramilitary "militias" – and whoever else has a few hundred thousand reais to pay for the murder of someone they don't like'. Even if the formal investigation remains inconclusive, Miranda's accusation is supported by academic and investigative journalism research.⁴ A direct link between Bolsonaro's family and Marielle's assassination was not proved, but the President's son, Flávio, supported politicians who celebrated her death and is also linked to the militia in other affairs.⁵ Lima (2019) argues that it is important 'to understand the historical continuance of lethal violence as one of the most striking social characteristics of Brazil...[and that].. preventing and tackling of homicides - understood in a broad sense that includes all intentional murders - are political and institutional operations ensuing from a symbolic simulacrum that causes incremental initiatives to fail to reach the architecture of institutions of criminal justice and public security'. This simulacrum leads the police and other institutions of the criminal justice system to continue operating from a core of criminal policies that do not comply with the democratic public security project, that is, with the protection of life and civil and human rights envisioned by the 1988 Constitution (Lima 2019, p.1).

Conclusions: Challenges Ahead

We have argued in this chapter, in line with Avritzer (2018), that from a long-term perspective, Brazilian democracy has followed a pendular trend, but we have highlighted the relevance of the impact of the global financial/economic crisis and the (mis)managements of Brazilian government as key triggers for the current rupture. The U-turn to a neoliberal approach since the impeachment of President Rousseff has had a crucial impact not only on the growth and economic inequalities, but also on the Brazilian democracy. We have also argued there that three main challenges can be highlighted, which require different short- and long-term reaction and measures, namely, a politico-institutional, an economic and a socio-cultural challenge.

The politico-institutional challenge is not new; some of the weaknesses of Brazilian political institutions have been discussed in the academia and in the political parties during the last decades, and proposals for political reforms have been advanced. Some of these weaknesses are the weak presidentialism and the large amount of political parties. The judicialization of politics or politicization of the

³<https://www.theguardian.com/commentisfree/2019/mar/14/marielle-franco-murder-brazil>

⁴https://brasil.elpais.com/brasil/2019/01/29/politica/1548794774_637466.html; <https://theintercept.com/2019/01/17/marielle-franco-brazil-assassination-suspect/>

⁵<https://politica.estadao.com.br/noticias/eleicoes,flavio-bolsonaro-defende-destruicao-de-placa-pro-marielle-por-correligionarios,70002532531>; https://brasil.elpais.com/brasil/2019/01/22/politica/1548165508_401944.html

judiciary became a caricature in Bolsonaro's government, but is also not new. Newer phenomena are the participation of Armed Forces in the government (active and retired military), the reversion of evolving relations between civilian and military, and the direct involvement of the militia in the government, as exemplified in the case of Marielle.

The economic challenge is the reversion of the neoliberal approach to development embraced by Bolsonaro's government, which added a denial of the climate change and the impact of the increase of a strategy of growth based on extractivism and agribusiness to the cost of a sustainable development approach. Finally, socio-cultural challenges and the appeal of an extreme-right populist regime to the population are explored by Salgado in this volume, but we would like to emphasize here the challenges posed by the expansion of a new (conservative) social base grounded in the Pentecostal churches, and the 'contamination' of cultural policy and therefore the support to a conservative approach to culture.

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