

Brazil's Non-Elections: A Crisis of Trust, a Failure of Democracy

Popular jailed socialist still dominates Brazil's election, but a resurgent far-right is capitalizing on anger at the status quo.

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This article was first published by The Canadian Centre for Policy Alternatives in early September. The article provides a historical overview. It does include recent developments pertaining to the election campaign following Lula's decision to drop out of the race and back another PT candidate for the presidency.

Brazil has been embroiled in socioeconomic crisis since the collapse of commodity prices in 2014 pushed the country into a deep recession. The dismissal of the last government in 2016 added political and judicial scandal to the mix when the PT administration of Dilma Rousseff, Lula's protégé, was impeached in a parliamentary coup on trumped-up charges of financial illegality (not corruption).

For the last two years, Brazil has been led by an unelected right-wing acting president who has also been charged with two cases of corruption. Michel Temer is widely hated for imposing harsh austerity measures in 2017, including highly unpopular pension reforms and deep cuts to government spending while raising salaries for legislators. With an approval rating of only 3%, according to one recent poll, Temer is Brazil's most unpopular president ever.

Lula, on the other hand, remains well-liked in the country. The two-time president (2002 — 2010) is widely credited with lifting tens of millions of Brazilians out of poverty through redistributive economic reforms (see my past articles for the Monitor at www.policyalternatives.ca/monitor). A concert in Rio de Janeiro at the end of July featuring Chico Buarque and other big Brazilian acts, who are calling for Lula's release from prison, drew tens of thousands people into the street.

"The Brazilian people love Lula due to [his] achievements," says João Feres Júnior, professor of political science at the State University of Rio, "but some Brazilians did not like this."

Feres includes the country's judiciary in the latter group. In our conversation about the upcoming elections, he tells me Lula's jailing was "politically motivated," engineered by "a combination of political forces and politicized judges who have violated many judicial procedures throughout the process," which made it necessary to convict the former president.

Lula was accused and convicted of receiving a bribe from the construction firm OAS in the

shape of a duplex seaside apartment worth US\$1.1 million. The investigation was part of Operation Car Wash (Lava Jato), a massive corruption probe in which close to 100 Brazilian politicians and officials have been convicted. Lula denied the charge and denounced it as political persecution. In court, his lawyers argued that there is no proof that Lula owned the apartment and that his conviction is based on the testimony of OAS's former chairman, who was himself convicted of corruption and who hoped to get leniency in his case.

"There is no evidence that he owned the apartment," Feres states. "The whole process is tainted." As proof, he points to judges rejecting material presented by the defence, speeding up deadlines and denying access to all the evidence against Lula.

"Brazilian justice, in a heterodox interpretation, considered that it sufficed that Lula, as president, appointed [the state oil company] Petrobras's administration, which engaged in illegal transactions with OAS, and OAS kept the apartment waiting for Lula to decide whether he would buy it or not, and he never bought it or used it," explains Rubens Glezer, a constitutional law professor at Fundação Getulio Vargas (FGV), a private university with multiple campuses in Brazil. "The conviction is sustained in a huge chain of inference, with several weak links."

Glezer does not think that Lula's conviction is politically motivated in a partisan sense, but notes the result was that "the most popular candidate for the presidency is having his political rights revoked by a highly contestable conviction." Meanwhile, he adds, "several other politicians investigated for much more direct and classic cases of corruption, with recorded conversations about bribes or videos of people getting away with a bags full of money, have their political rights intact."

There is a "combination of forces that wants a different type of Brazil where people stay in their place," says Feres, referring to an alliance of right-wing political parties, certain judges and corporations united mainly by their desire to get rid of Lula and the PT. "This group does not want progressive change. It wants a Brazil where most people are poor, labour is dirt-cheap, and where it is not threatened by the rise of Black people." (More than half of Brazilians define themselves as Black or of mixed race.)

While Lula remains popular, this right-wing alliance has managed to reduce public support for his Workers Party by tarnishing its image in the media.

"The media are mainly centre-right politically and produce a type of journalism that is worse than the British tabloids," says Feres. "Their bias against Lula is amazing."

During Lula's court hearings, big media outlets ran many unproven allegations against the former president that had been leaked by the judiciary.

Running second to Lula ahead of the October elections, at 17% public support in one July poll, is the neofascist, racist, misogynistic and homophobic congressman Jair Bolsonaro, who told a congresswoman in 2014 that "she isn't worth" raping, "because she's ugly." In April, Brazil's attorney general charged Bolsonaro with inciting hatred and discrimination against Blacks, Indigenous communities, women and gays. He has condoned torture and praised

military dictatorship, yet there is a decent chance he will win the next election, especially with Lula out of the running.

“The source of Bolsonaro’s popularity is his ability to channel a lot of different expectations. So definitely a part of his electorate is aligned with his anti-gay, anti-secular, anti-minorities, anti-human rights, pro-dictatorship, pro-gun speech. But a lot more seem to consider him a candidate who is not politics-as-usual, an outsider — despite his position in Congress since 1991 — and more importantly, with no corruption case against him,” says Glezer.

“Nobody knows what his presidency will be like. To say that it will be right-wing is, of course, an understatement.”

Behind Bolsonaro, at 13% public support, is former environment minister Marina Silva, who served under Lula from 2003 to 2010 before parting ways with the PT. She ran for president under two different political parties in 2010 and 2014, but did not make the second-round runoff in either. She is running this time on an anti-corruption message aside from which her political positions are vague.

In third place is former legislator and ex-minister Ciro Gomes, leader of the small Democratic Workers Party, who was polling at 10% this summer. In Lula’s absence, Gomes would be considered the most leftist candidate given his support for raising taxes on the rich, reversing privatizations and nationalizing oilfields.

As shaky as Brazil’s economic recovery has been, Glezer sees the Brazilian crisis as mainly a political one, which he blames on “irresponsible or incompetent leadership that could not structure politics in a minimally ethical manner.” Brazil needs to “re-construct its political community and it may have to invent the institutions to do so,” he tells me.

Victor Marques, professor of philosophy at the Federal University of ABC in São Paulo, insists the country’s political crisis is far more profound than that. For him, Lula’s jailing means that Brazil is no longer a full democracy.

“Given how polemic and fast-tracked Lula’s judicial process was, it is now common sense in Brazilian society that the main objective of his imprisonment was to block him from running as a presidential candidate again because if he was allowed to run, he would win easily,” Marques tells me. This, and Roussef’s “divisive” impeachment, has “cast a dreadful shadow,” he adds.

“One way to put it is that Brazil is now a ‘tutored democracy,’ with both the judiciary and, even more worrisome, the armed forces acting as a kind of ‘moderate power’ with no constitutional provision for that. Some say that taking Lula out of the ballot is like a ‘preemptive impeachment.’ I would say it is an anticipated electoral fraud.”

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