

What is at stake in Brazil today?¹

Cristina Fróes Borja Reis, Maria Caraméz Carlotto, Tatiana Berringer

Since March 2016 tension has dramatically grown in the political and social atmosphere of Brazil. In April 15th the National Congress has approved the impeachment of the democratically elected president Mrs. Dilma Vana Rousseff. The process is now on the way to the National Senate.

While most of the domestic and international media covered has focused on the impeachment process itself, scarce attention has been paid to the consequences – in terms of politics and policy - of an eventual impeachment.

The main political consequence of the impeachment is the creation of a dangerous legal precedent, in which the constitution is permissively interpreted to satisfy political objectives. The reasons for the impeachment are controversial, as there is no clear crime of responsibility – the only reason why a president can be impeached in Brazil. Meanwhile, the public opinion has become increasingly polarized. For those who support Dilma's presidency, the lack of legal basis qualifies the impeachment process as a veiled coup. Those who endorse the impeachment of Dilma, either ignore the weakness of the case being made against her, or dismiss the need of a legal basis by claiming that impeachments are a political, not judicial, process. Those who do not assume these extreme positions are increasingly silent, fearing criticisms from both sides, in family meetings, school debates, in a bar, on twitter or facebook chats.

Polarization is indeed another political consequence of the impeachment process. This polarization can be seen in the numerous and gigantic street protests, which are now frequently used by the population to exert political pressure. On the one hand the right-wing sector of society mobilized a street demonstration on March 13th that amassed the largest number of participants in Brazilian history---not a small feat given the country's large street protests of 1984 and 1992. The main motivation behind these right-wing protests was to express support for the "Car Wash" operation ("Lava-jato", in Portuguese), an investigation which has found evidence of corruption involving politicians from Lula's Labour Party (PT, Partido dos Trabalhadores). Although Car Wash operation has uncovered corruption from politicians across the ideological spectrum, the right-wing protests focused solely on the findings that involve PT. On the other hand, the left-wing sector od

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society responded to these protests by organizing their own huge demonstration five days later, showing that support for impeachment is not a consensus in the country at all.

This polarization is not helped by the tendency of Car Wash judges to teeter with the notion of due process and to make their investigation a spectacle. The Car Wash operation has used excessive force and leaked sensitive information to media outlets. For instance, before the huge protests in March, the military police performed a raid on a metalworkers' union in Diadema (São Paulo - SP); requested the arrest of Lula provisionally without evidence of crime, arrest which was carried out using coercive conduct; and leaked telephone conversations tapped from telephones of Lula's team (and, some argue, the President's Cabinet) that involved improper language but otherwise inconclusive information.

The main consequence of the impeachment process may not, however, be street protests or new legal precedents, but instead a major shift of national policies, a shift that can only be described as a backlash against PT. In the current scenario of institutional and structural weakness in Brazil, we call attention to the way that conservative and neo-liberal sectors have acted since president Dilma's re-election in October 2014, trying to put into question the political program outlined in recent years - which, despite all limitations, favored a redistribution of income and power, benefiting the working class, women, blacks and young people.

Given the spectacle created by the press in the so-called "fight against corruption", the dominant interests widely represented in the Brazilian Congress take advantage to impose their regressive agenda on the country. Instead of seriously discussing and passing a political reform which is the basis of the structure of the Brazilian political system, being at the root of the current scandal, Congress members opportunistically submit already defeated conservative ideas on bills (PL), proposals for constitutional amendments (PEC) and Senate draft resolutions (PRS) for approval under emergency regime. A quick examination of some of them shows how they undermine national sovereignty, democracy and human rights in Brazil.

Starting with the economy, the PRS 84/2007 establishes a ceiling for net and gross Federal debts, deepening the fiscal adjustment in the short term and undermining the government's autonomy in terms of fiscal stimulus and spending - which is key to the dynamics of investment. In this adjustment process, the direction of the transformation in public accounts harms workers, as seen in the labor market flexibilization, the proposals for social security reform and in the resistance to the minimum wage appreciation policy.

The Responsibility Act for State Firms (PL 555/2015) is another current proposal that undermines the principle of autonomy by creating a regulatory framework that places state-owned

enterprises in the logic of the financial market. By preventing people affiliated to political parties and trade unionists from being members of councils and boards and privileging nominees with market experience, it threatens the rights of activists, strengthens the movement of political criminalization - subtracting from the political actors their legitimate instruments of representation - and favors financial interests in the companies' management. Also, the requirement that state companies comply with Public Limited Company Laws does not guarantee that their operations maximize profitability and efficiency and ignores the implications of their operations for the sophistication of the domestic production structure and the resulting distributional consequences - to the detriment of the labor market and of small and micro enterprises.

This criticism also applies to the PL 131/2015, which determines that Petrobras will have the prerogative to choose to be a pre-salt field operator or to relinquish the minimum exploration of 30% that is required by law. These laws allow the national and international private capital to take ownership of a strategic resource, limiting foreign policy and our geopolitical positioning in the energy field when facing the great powers, especially the United States, weakening Brazilian and Latin American sovereignty.

Speaking of the possibility of greater participation of foreign capital in the ownership of Brazilian assets, it is under discussion a substitute text to PL 4059/12 to ease the process of land purchases by foreigners. At the same time, the interests of big landowners are being strengthened by two proposals for constitutional amendment: PEC 215/2000, which aims to remove from the Executive the power to demarcate indigenous lands, transferring the final word to the National Congress, which traditionally over-represents landowners, and PEC 71/2011, which provides for compensation to be paid to owners of properties in Indigenous Lands.

In the field of civil rights, the loosening of the firearms-control legislation (the Disarmament Statute) facilitates access to weapons by individuals, making it easier for new militias to operate in parallel to state forces - increasing, rather than diminishing violence. For its part, the PL 5069/2013 changes the rules on abortion, criminalizes anyone that provides assistance or guidance on the matter and, in rape cases, provides that abortion can only be carried out in the national public health service (SUS) after a forensic medical examination. As for the so-called Family Statute, it prohibits same-sex marriages and also adoption by gay couples. And still, the PEC 171 reduces the minimum age of criminal responsibility from 18 to 16 years - which does not effectively keep teenagers away from crime and frees the State of its responsibility toward the youth. All these different projects are huge setbacks, directly damaging the lives of peasants, women, the youth and LGBT people.

While such controversial legislation moves forward, the approval of the anti-terrorism law

by the Senate is worrying. As protested by the United Nations (UN), the law is an attack on human rights because the classification of the crime of terrorism is broad and imprecise. That is, in the current context in which the various political actors should be strengthened to have their voices heard and to compete for power, their fundamental right to organize, move and express themselves is being repressed.

Even if citizens are in favor of one or more of the projects taken here as conservative, one must agree that the basic political premise is the preservation of democratic institutions. This is no time for such important decisions to be taken without critical reflection and without an extensive debate with the population. It is also a priority to ensure human rights are respected and to protect the social achievements that effectively improved living conditions in our society. We must ponder if this assault on Brazilian companies and on the president is genuinely an attempt to combat corruption, or whether it is a selective attack in favor of financial and international interests, and against the recent trend to strengthen workers in Brazilian society and Brazil in world geopolitics.

Cristina Fróes Borja Reis, PhD in Economics from UFRJ, visiting scholar at the University of Cambridge in 2010/2011, Professor of Economics and International Relations at UFABC, author of the National Treasury award winner monograph *The effects of public investment on economic development: an analysis applied to the Brazilian economy between 1950 and 2006* (2008).

Tatiana Berringer, PhD in political Science from UNICAMP, researcher at the University Lumiere Lyon 2 in 2014, Professor of International Relations at UFABC, author of *The Brazilian bourgeoisie and foreign policy during the FHC and Lula governments* (2015).

Maria Caraméz Carlotto, Ph.D. in Sociology from USP, visiting scholar at the University of Paris Sorbonne in 2010/2011, Professor of International Relations at UFABC, author of *Paths to the change in Brazilian science. Discourse, institutionalization and practices in the contemporary scene* (2013).

Kindly translated by Ana Cristina Pereira das Neves, MSc in Economics.