

CHAPTER 1

Politics in Brazil: From Elections without Democracy to Democracy without Citizenship*

Leslie Bethell

When in the late 1980s Francis Fukuyama first began to formulate his ideas on the late twentieth-century triumph of liberal democracy worldwide — ‘the universalisation of Western liberal democracy as the final form of human government’ — which he presented, first in a series of lectures at the University of Chicago, and then in an article published in *The National Interest*, China, the Soviet Union and much of Eastern and Central Europe were still under Communist rule. Equally, in the Western Hemisphere, besides the notoriously complex case of Mexico, Brazil — the fifth largest country in the world, with the fifth largest population (160 million) — was a not insignificant exception to Fukuyamanian triumphalism. The painfully slow process of political liberalisation, then finally democratisation at the end of two decades of military dictatorship — part of Samuel Huntington’s ‘third wave’ of global democratisation, which had started in southern Europe in the 1970s and spread to Latin America in the 1980s — was still by no means complete. And the Brazilian economy remained one of the most closed and state-regulated — with one of the largest public sectors — in the capitalist world.

By the time Fukuyama published his book *The End of History and the Last Man* in 1992, however, not only had momentous events taken place in Moscow and Berlin but, following the presidential elections of November–December 1989, Brazil could unquestionably be counted a fully-fledged democracy with regular free, fair and competitive elections for both the executive and legislative branches of government, based on the principle of one person, one vote, for the first time in its history as an independent state. Brazil had become in fact, after India and the United States, the third largest democracy in the world. It was also in the late 1980s and more particularly the early 1990s that Brazil took the first steps towards the liberalisation and de-regulation of its economy — and the privatisation of its state industries and public utilities.

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Brazil's new democracy, though like all democracies flawed, has so far survived, despite fears at the time that it might not and little in the past to justify much optimism that it would. More than this, it has been, as political scientists would say, consolidated. Whether more than a decade of democracy and neo-liberal economic reform has made Brazil significantly more prosperous and less socially unequal and divided, and what the implications are for the future of democracy in Brazil if it has not, are questions I will briefly address at the end of this chapter.

I

Elections in the Nineteenth and Twentieth Centuries

In contrast to the 13 Colonies in British North America, but like colonial Spanish America, Brazil served no significant apprenticeship in representative self-government under Portuguese colonial rule. For three centuries Brazil was governed by Crown-appointed governors-general (or viceroys), captains-general (or governors), high court judges, magistrates and other lesser bureaucrats.¹

The first elections held in Brazil — the election of delegates to the *cortes* summoned to meet in Lisbon in the aftermath of the Portuguese Revolution of 1820 — did not take place until May–September 1821. By that time, as a consequence of the transfer of the Portuguese court from Lisbon to Rio de Janeiro in 1807–08 during the Napoleonic Wars, Brazil was already no longer strictly speaking a Portuguese colony but an equal partner in a dual monarchy. A year later, in June 1822, there followed elections — indirect elections on a strictly limited suffrage after the extreme liberals or radicals of the period (many of them republicans) failed to secure direct popular elections — to a Constituent Assembly in Rio de Janeiro as Brazil finally moved towards full separation from Portugal.

The Independence of Brazil in 1822 can be regarded as part of the so-called 'democratic revolution' of the Atlantic world in the late eighteenth and early nineteenth centuries in the sense that liberal democratic ideas were widely proclaimed in the struggle against Portuguese colonialism and absolutism. There was, however, never any intention of establishing in Brazil anything that, even at the time, looked remotely like liberal repre-

sentative democracy based, however theoretically, on the sovereignty of the people. (Brazil's population at the time, in a territory of three million square miles, was between four and five million, less than a third white, more than a third slave.) Unlike the newly independent Spanish American states, Brazil did not even become a republic. Uniquely, Brazil proclaimed itself an Empire, with Dom Pedro I, the son of King João VI of Portugal and heir to the Portuguese throne, becoming the independent country's first emperor (succeeded on his abdication in 1831 by his five-year-old son who eventually became Dom Pedro II).²

Brazil has had a long history of elections that compares favourably with most countries in the world. Under the Empire (1822–89), under the First Republic (1889–1930), in the aftermath of the Revolution of 1930, in the post-war period (1945–64), even under the military dictatorship (1964–85), elections were regularly held in Brazil. There has in fact been only one period of more than a few years in the entire modern history of Brazil without elections: the *Estrada Novo* (1937–45). Until ten years ago, however, Brazilian elections were not always for positions of political power, executive or legislative; they were rarely honest and usually not freely contested; and the level of participation always fell some way short of universal suffrage. Historically, elections in Brazil had more to do with public demonstrations of personal loyalties, the offer and acceptance of patronage, the reduction of social (and regional) tensions and conflict and, above all, control of a patrimonial state and the use of public power for private interests without recourse to violence than it did with the exercise of power by the people in choosing and bringing to account those who govern them. Before 1989 Brazil was a case study in elections without democracy.

Under the political system of the Empire Brazil had an elected Chamber of Deputies. But governments were only to a limited extent responsible to it. Power was concentrated in the hands of the hereditary emperor himself, his chosen ministers, the counsellors of state he appointed (for life), the provincial presidents he also appointed, and a Senate (with senators appointed, also for life, by the emperor, though from lists of three submitted by each province). It was only when Brazil finally became a republic in 1889 that the executive (president, state governor, municipal *prefeito*) as well both houses of the legislature (the Senate and Chamber of Deputies), state assemblies and municipal councils were all elected. Presidential, congressional, state and municipal elections were a feature of both the First Republic and the period after the Second World War. During the military dictatorship presidents were 'elected' for a fixed term, which is unusual in military regimes, but they were indirectly elected by an Electoral

¹ On colonial government, see Leslie Bethell (ed.), *Colonial Brazil* (Cambridge, 1987); chapters from *Cambridge History of Latin America*, vols. I and II, pp. 46, 129–35, 142,

257. It has been argued that the municipal *senados da câmara*, like the *cabildos* in late colonial Spanish America, were rather more than simply self-perpetuating oligarchies of councilmen (*veradores*) and some local judges were chosen or indirectly 'elected' by *hombres bons*, men of wealth and good standing. However, the number of 'votes' was

² On Brazilian Independence, see Bethell (1985), reprinted in *Brazil: Empire and Republic, 1822–1930* (1989). See also two essays by Costa (1975 and 1985).

College in which (until 1984 at least) the regime could count on a majority. In practice all five military presidents were imposed by the military high command. State governors (until 1982) and mayors of state capitals and other cities of importance to 'national security' were appointed by the military. Congress and state legislatures, which continued to function under the military regime (apart from one or two brief closures), though with their powers much reduced, alone continued to be directly elected — on schedule every four years.

During the Empire voting in elections was open (and oral). Fraud, intimidation, violence and the exercise of patronage by local landowners and others and by agents of the Crown were widespread. Elections under the First Republic — a highly decentralised federal republic — were not much less dishonest, possibly more so, controlled as they were for the most part by state governments and *coronéis* (local political bosses) representing powerful landed oligarchies, especially in the more backward states of the north-east and north. Not until 1932 was the ballot made secret and a system of electoral supervision (*justiça eleitoral*) introduced. In practice, however, the new electoral legislation was not fully implemented until after the Second World War — and then for less than 20 years. Under the military dictatorship, electoral rules were frequently manipulated in the most arbitrary and blatant way to guarantee majorities for the pro-military ruling party.

There has always been some measure of contestation between different parties, programmes and candidates in Brazilian elections. In the parliamentary elections of the Empire the choice was between Liberals, Conservatives and, finally, Republicans. During the First Republic elections were contested by state parties only and in each state the Republican Party was dominant. The outcome of elections for president of the republic was pre-determined by agreements between state governors (*a política dos governadores*). No 'official' candidate backed by the governors and republican political machines of at least one (and it was usually both) of the two states with the largest electorates — São Paulo and Minas Gerais — and two or three of the largest second rank states (Rio Grande do Sul, Rio de Janeiro, Bahia, Pernambuco) ever lost, and no 'opposition' candidate ever won, a presidential election.

Apart from the Brazilian Communist Party (PCB), founded in 1922 and immediately declared illegal, and the fascist Ação Integralista Brasileira (AIB), founded in 1932 and declared illegal along with all other political parties during the Estado Novo there were no national political parties or political movements until 1945. In the post-war period more than a dozen parties for the first time competed for office. But in May 1947, at the beginning of the Cold War, the PCB, the only significant party of the Left, was once again declared illegal by Congress after 18 months of *de facto* legality. The PCB, which was not for its part fully committed to legal strategies and the electoral road to power, was effectively excluded from demo-

cratic politics — and remained so for the next 40 years. For most of the period of military rule — between the party 'reforms' of 1966 and 1979 — only two parties, the pro-government ARENA (later PDS) and the opposition Movimento Democrático Brasileiro (MDB, later PMDB) were permitted to contest elections.

In the middle decades of the nineteenth century, the golden age of the Empire, the level of political participation was surprisingly high: men (not women, of course) who were 25 years old (21 if married), Catholic, born free and with a quite low annual income from property, trade or employment had the right to vote in elections for the Chamber of Deputies. Richard Graham has calculated that in 1870 one million Brazilians out of a total population of a little under 10 million (i.e. half the free adult male population, including many of quite modest means, illiterate and even black) could vote.³ (This is a far higher proportion of the population than in England, for example, after the Reform Act of 1832 and even after the Reform Act of 1867.) The elections, however, were indirect. The so-called *volantes* elected *eleitores* (who were required to have a higher annual income), and only *eleitores* — some 20,000 of them in 1870 — had the right to vote for *deputados*. Moreover, the turn out was generally low. This was hardly *democracia coronada*, crowned democracy, as the historian Joao Camillo de Oliveira Torres entitled a book published in 1957 on the political system of the Empire.

Moreover, the level of political participation under the Empire was severely reduced in 1881. During the last quarter of the nineteenth century as the coffee economy expanded and the shift from slave to free labour finally gathered momentum, making the final abolition of slavery increasingly inevitable, there was a growing fear amongst the dominant political class — shared by many liberal reformers — that ex-slaves ('barbarians') — in the rural areas but more particularly in the rapidly expanding urban areas — would readily acquire the low income sufficient to secure the right to vote. Under the Saraiva Law of 1881 elections for the Chamber of Deputies were made direct; the property/income qualification to vote was removed; non-Catholics, naturalised citizens (though not resident foreign immigrants) and even ex-slaves (freedmen) were eligible to become voters. However, undermining somewhat these apparent liberal/democratic advances, a new requirement for voter registration was introduced for the first time: namely, education as measured by a literacy test — in a country in which 80–85 per cent of the population was illiterate. (In England, John Stuart Mill, the great apostle of liberal democracy, also argued against giving the vote to illiterates, but Mill at least believed in the rapid expansion

3 Graham (1990), p. 109, Table 2, and p. 332, note 41. On the political system of the Empire, see also Carvalho (1980, 1988).

of public education to reduce the level of illiteracy, not something advocated by many people in Brazil in the late nineteenth century.)

Thus, after 1881, while the number of *eleitores* increased (initially to around 150,000), the vast majority of Brazilians, even most free males, who had previously had the right to vote, albeit only as *votantes* in indirect elections, were consciously and deliberately excluded from political participation.⁴ Liberalism may have been the dominant ideology in nineteenth-century Brazil but, as in Spanish America, it was liberalism of a predominantly and increasingly conservative variety as it was forced to adjust to the realities of an authoritarian political culture, economic underdevelopment and, most of all, a society deeply stratified (and along racial lines).

The republican Constitution of 1891 reduced the minimum voting age from 25 to 21 but, like the Constitution of 1824, excluded from politics the great mass of adult Brazilians by continuing to deny the vote to women and illiterates. In the Constituent Assembly a greater effort was made to extend the suffrage to women than to illiterates. Not surprisingly it failed. And such was the neglect of public education during the First Republic that over 75 per cent of the population remained illiterate as late as 1920. Nevertheless, the presidential and congressional elections of the early republic did represent a substantial advance in direct popular political participation compared with the late Empire: in 1898, for example, almost half a million Brazilians voted, including sections of the emerging urban middle class and even some urban workers in Rio de Janeiro, São Paulo, Porto Alegre and elsewhere.⁵ However, even in the city of Rio de Janeiro, the capital of the republic, with a population of half a million in the early part of this century, José Murilo de Carvalho has calculated that only about 100,000 people had the right to vote, that only 25 to 35 per cent of these ever registered to vote in national elections between 1890 and 1910, and that only between seven and 13 per cent (five to ten per cent of the adult population) actually voted.⁶ In the country as a whole, in even the most competitive presidential elections with the greatest degree of political mobilisation — for example, the elections of 1910 and 1919 in which Rui Barbosa, the great liberal jurist, stood as a *caudilla* opposition candidate (and lost) — less than five per cent of the adult population voted.⁷ It was not until 1930 that more than ten per cent of the adult population voted in presidential elections. What has been called oligarchical democracy

4 Graham (1990), pp. 185–6, 200, 202.

5 Lanounier and Maszynski (1993), pp. 93–134, especially Table 2.1. Evolution did occur: 1933–1990 (in fact 1894–1990) (p. 99) and Table 2.9. Elections presidenciales 1894–1989 (pp. 125–30), contains valuable statistical information on all elections in Brazil down to 1990. For elections after 1982, Nicolson (ed.) (1998a) is indispensable. de Carvalho (1987), chap. 3 'Cidadãos inativos: a abstenção eleitoral'.

6 ... and Maszynski (1993), pp. 99 and 128.

(surely an oxymoron) is, as a description of the political system of the Old Republic, as hard to swallow as is crowned democracy for the Empire.

From the 1930s, wider sections of the Brazilian population were gradually incorporated into the political process. The 1932 electoral law lowered the voting age to 18 and, more importantly, for the first time gave women the vote (always provided they were literate).⁸ Brazil was second to Ecuador in Latin America in extending the suffrage to women — ahead of, for example, France. Women were slow to register, however; only 15 per cent of those eligible to vote in the elections for a Constituent Assembly in May 1933 did so, and only one woman, Carlota Pereira de Queiroz from São Paulo, was elected.

As part of 'democratisation' in 1945 a new electoral law included automatic voter registration for employees, male and female, in public and private companies (many of whom were in fact illiterate) — a measure designed to extend the vote to wider sections of the urban working class while still excluding the rural population, around 60–70 per cent of the total. The elections of December 1945 were the first reasonably honest, competitive (even the Brazilian Communist party was allowed to take part), relatively popular elections ever held in Brazil. 7.5 million Brazilians registered to vote (more than half in the city of Rio de Janeiro, the Federal District and around a third in the states of São Paulo and Rio de Janeiro, by means of the ex-officio registration through the workplace). This was four or five times the number who had registered to vote only 15 years earlier and a substantial proportion (35 per cent) of the adult population. A little more than six million actually voted.⁹ Under the 'democratic' Constitution of 1946, however, more than half the adult population of Brazil remained disenfranchised by its illiteracy. And Congress in 1950 restored individual responsibility for voter registration — on the face of it a liberal measure but in the circumstances of Brazil at the time a blow aimed at the political participation of the urban working class.

Nevertheless, as a result of a dramatic growth in the population (from 40 million in 1940 to 70 million in 1960 and 120 million in 1980), rapid urbanisation (35 per cent of the population was classified as urban in 1940, 45 per cent in 1960, 70 per cent in 1980), and in the 1960s and 1970s for the first time real progress in the direction of universal basic literacy, the electorate grew steadily. It reached 18 million in 1962 and, despite the breakdown of Brazil's post-war limited form of democracy in 1964, it grew to over 60 million in 1982 (which means that the electorate actually increased fourfold during the military dictatorship). However, not until the return to civilian rule in 1985, in one of a series of constitutional amendments passed

8 Hahnert (1991), pp. 171–3.

9 Nohlen (1993), pp. 108, 113 and 128.

during the first months of the Sarney administration, were illiterates (still over 30 million of them, comprising between 20 and 25 per cent of the population, a large proportion of them black) finally enfranchised. The Constitution of 1988 then extended the vote to 16 and 17 year olds.

The municipal elections of November 1985 and the elections for Congress and state governor a year later were the first elections in Brazil based on universal suffrage, though few *analfabetos* had time to register to vote in the first and only half registered to vote in the second.¹⁰ Nevertheless, the 1987–90 Congress not only had 26 women members, a small number but more than had been elected in the entire period 1932–86, but also 19 blacks, including the first black *deputada*, Benedita da Silva (Partido dos Trabalhadores — PT — Rio de Janeiro).

Finally in 1989, the first direct presidential elections for 30 years were the first in the history of the republic based upon universal suffrage. They were held symbolically on the centenary of the Republic (15 November 1989). The electorate now numbered 82 million (in a population of almost 150 million) and, since voting has been mandatory in Brazil since 1945 (under the Constitution of 1988 for those over 18 and under 70 only), the turn out, as always, was extremely high (88 per cent). Candidates of 22 parties from across the political spectrum, far Right to far Left, contested the first round. In the second round Brazilians were offered a straight choice between Right (Fernando Collor de Mello, Partido da Renovação Nacional — PRN) and Left (Luiz Inácio Lula da Silva, PT). By a narrow margin they chose Collor.¹¹ Brazil's new democracy showed early signs of fragility and in September–December 1992 Brazilians suffered the trauma of the impeachment (on corruption charges) of their first democratically elected president less than halfway through his term of office. In the end, however, the successful impeachment of Collor can perhaps be seen to have demonstrated more the maturity than the fragility of Brazilian democracy.¹² Twice before the end of the decade Brazilians went to the polls — 78.2 million (82.3 per cent of the electorate) in 1994, 83.3 million (78.5 per cent) in 1998 — in remarkably free, honest and orderly *super-eleicoes, eleicoes cassidas* (presidential, gubernatorial, Congressional and state assembly elections held on the same day). Both presidential elections were won handsomely by Fernando Henrique Cardoso, a distinguished sociologist with an international reputation and a politician with impeccable democratic credentials and advanced social democratic ideas, though on each occasion, as we

shall see, the candidate of a Centre-Right coalition. (The defeated candidate in both elections, as in 1989, was Luiz Inácio Lula da Silva.) Cardoso was only the third elected president in 70 years (since 1930) to serve a full term, the first since Juscelino Kubitschek (1956–61), the first elected under universal suffrage — and the first to be re-elected for a second term.

The international environment in the 1990s was uniquely favourable to the survival and consolidation of democracy in Latin America. In particular, the United States made support for democracy a central feature of its policy towards the region, as it had done in the past but this time with rather better results. Furthermore, with the end of the Cold War anti-communism was no longer available as the main justification for the overthrow of democratic (or semi-democratic) governments as it had been in Brazil in 1964 (and even in 1937). Like the Left, the Right — the traditional political class (rural and urban), the more powerful economic interest groups and the military itself — was, it seemed, now committed to peaceful democratic politics, as it had not always been in the past. The political crisis surrounding the impeachment of Collor in 1992 was the first in the history of the republic in which the military — whose privileges and prerogatives, including the right to intervene in the political process, are explicitly recognised in the 1988 Constitution — was not an active participant.

Of course, it could be argued that the 'propertied classes' (including broad sections of the middle class) were no more than fair weather democrats. When the costs of overthrowing democracy and resorting to authoritarianism are high and the costs of tolerating democracy low, democracy is likely to survive. But when their interests are threatened by forces favouring a significant distribution of wealth and power, as they were, or were believed to be, in 1964, there is always a possibility that they will look to the military to overthrow democracy. We shall never know whether Brazil's new democracy would have passed its supreme test — the acceptance of victory by Lula and the PT in the presidential elections of 1989 or 1994. As Adam Przeworski once remarked, only where the Left lost the first elections following a process of democratisation was democracy truly safe. It is a mark of the growing maturity of Brazilian democracy — and also of the PT's shift, whether temporary or permanent, from Left to Centre-Left — that the election of Lula to the presidency at the fourth attempt in October 2002 raised not the slightest doubt that he would be allowed to assume power in January 2003.

II

Democracy in the 1990s

There can be elections without democracy but there cannot be democracy, at least not liberal representative democracy, without elections. At the same time

10 For an interesting analysis of the 'black vote' in the elections of 1985 and 1986, see

Berquo and de Alencastro (1992).

11 Nohlen (ed.) (1993), pp. 99 and 130, and Nicolau (ed.) (1998a), pp. 23–6, 29–36.

12 President Fernando Collor de Mello was impeached first in the Chamber of Deputies on 29 September (441 votes to 38) and then, definitively, in the Senate on 29 December 1992 (76 votes to 3), the day after he had in fact resigned.

there is, of course, more to democracy than elections, however honestly conducted and freely contested and whatever the level of popular participation. The democratic exercise of power *between* elections is also important, and democratic political systems vary in the degree to which they facilitate it. Brazil's democratic institutions functioned relatively well in the 1990s. And at least there remained no 'authoritarian enclaves', parts of the power apparatus of the former military dictatorship not accountable to democratically elected civilian governments. The military itself has steadfastly remained out of politics. But Brazilian democracy is not without its flaws.

Some political scientists would go so far as to claim that in Brazil, as in the rest of Latin America, the presidential system itself is a major obstacle to the proper functioning of representative democracy. It is an expression of, and it reinforces, the personalism and authoritarianism deeply rooted in the country's political culture. Moreover, however poor their performance, however weak their support in Congress, however low their standing in the country, presidents can only be removed in advance of the next scheduled elections by extreme measures: for example, in the case of Brazil, suicide (Vargas, 1954), resignation (Quadros, 1961), military coup (Goulart, 1964) or impeachment (Collor, 1992). Brazil had two opportunities to change its system of government during the process of democratisation: in March 1988, after prolonged debate on the issue, the Constituent Assembly voted 344 to 212 in favour of a presidential rather than a parliamentary system; and five years later (April 1993), in the plebiscite required under the 1988 Constitution, 55 per cent of the electorate voted for presidentialism, 25 per cent for a parliamentary system of government, with 20 per cent of the vote spoiled or blank. (In the same plebiscite Brazilians were also offered the opportunity to restore the monarchy: 12 per cent voted in favour compared to 66 per cent who supported the republic.)

Brazil's electoral system (elections for the Chamber of Deputies based on proportional representation, but with large, state-wide electoral districts and 'open' lists of candidates) and its 'underdeveloped' party system have come in for a great deal of criticism.¹³ Parties do not for the most part have deep historical roots, nor ideological/programmatic consistency (even the PT is deeply divided). Moreover, except for the PT and, until recently, the PFL they are lacking in cohesion and discipline: almost a third of the deputies elected in 1994 switched parties during the Congress of 1995–98 — some several times! — and those elected in 1998 were no less volatile. Finally, there are, some would argue, too many parties. 76 put up candidates in the nine elections between 1982 and 1996, though 39 of them only once. 30 or so parties are currently registered. 18 had seats in

the 1999–2002 Congress, though it should be emphasised that only eight had more than ten seats in the Chamber of Deputies and at least one seat in the Senate. Nevertheless, the largest party (the PMDB after the 1994 election, the PFL after 1998 and, a major surprise, the PT after 2002) had no more than 20 per cent of the seats in Congress. President Cardoso's party, the PSDB, had only 12 per cent of the seats in the 1995–98 Congress. What has been called 'permanent minority presidentialism' — no popularly elected president since 1950 has in fact had a majority in Congress provided by his own party — leads inevitably to party alliances, coalition government and political bargaining in the endless search for majorities for every piece of legislation. Constitutional reform (and the 1988 Constitution is so detailed and all-embracing that almost any major reform has constitutional implications) requires the support of 60 per cent of the members of both legislative houses on two separate occasions, which is extremely difficult to achieve not least because of the high level of congressional absenteeism in Brasília. This is all part of the game of democratic politics, no doubt, but it helps to explain why Brazilian presidents in the 1990s increasingly resorted to the (constitutional but undemocratic) use of *medidas provisórias* in order to bypass Congress.

The most undemocratic or, as political scientists would say, *demos-straining* feature of Brazilian democracy — and the most difficult to reform — is a federal system which since the beginning of the republic has rewarded the less populated, less developed, more politically traditional and conservative (that is to say, clientelistic and corrupt) states, especially in the north, with extreme over-representation in Congress. The problem here is not simply that, as in the United States, all 27 of Brazil's states regardless of population have an equal number of seats in the Senate (three), but that the Senate in Brazil has wider powers than the US Senate and that representation in the lower house is also not proportional to population or electorate. Despite the enormous disparity in size and population (and wealth) between states in Brazil — much greater than in the United States — there is for the Chamber of Deputies currently a minimum 'floor' (eight seats) and a maximum 'ceiling' (70 seats). Thus, São Paulo with an electorate of over 22 million has 70 seats (only recently raised from 60), the former federal territory of Roraima with an electorate of 120,000 has eight. Brazil's seven smallest states (by population, not size), which together account for only four per cent of Brazil's population elect 25 per cent of the Senate and over ten per cent of the Chamber. The system also favours the parties that are strongest in the more backward states. With only two or three percentage points more of the popular vote nationwide than the PT in 1994 and 1998, the Centre-Right PFL elected three times as many senators and almost twice as many federal deputies.

13 On the Brazilian party system, see in particular the work of Scott P. Mainwaring (1992, 1993 and 1999).

An even greater cause for concern is the fragility of the rule of law in Brazil after more than a decade of democracy. Although no government in Brazilian history has been more supportive of civil and human rights than that of president Fernando Henrique Cardoso, for a large proportion of the population basic civil liberties remain inadequately protected and guaranteed by the courts, and there are frequent gross violations of human rights, many of them perpetrated by the state military police. Brazil is a democracy of voters, not yet a democracy of citizens.

Brazilian democracy has so far been broadly and deeply legitimated. Public opinion polls throughout the 1990s consistently indicated a widespread lack of trust not just in politicians, political parties and political institutions but in democracy itself. Equally noteworthy are the large numbers of Brazilians who failed to vote in elections, even though the vote is technically mandatory, and those who vote but vote *nulo* (spoiled ballot) or *em branco* (blank ballot) — practices common (and understandable) during a period of military rule but disturbing in a democracy. Abstentions rose from 11.9 per cent in 1989 to 17.7 per cent in 1994 and 21.5 per cent in 1998. In the presidential elections of 1994, 18.8 per cent of those who turned out voted *em branco* and *nulo*, 18.7 per cent in 1998. Thus, in 1998 38.4 million Brazilians either abstained or voted *nulo* or *em branco* — more than those who voted for Fernando Henrique Cardoso. The number voting *em branco* or *nulo* in congressional and gubernatorial elections was around 30 per cent (in some states — for example, Maranhao, Bahia and Par  — as high as 50 per cent), and even higher in State Assembly elections. These figures are extraordinarily high by the standards of any democracy in the world. In the first round of the presidential election of 2002, however, not only did the abstention rate fall to 17.8 per cent but the number of those voting *em branco* and *nulo* fell to 10.4 per cent — in part due to the fact that the vote was for the first time 100 per cent electronic.

Brazilian democracy may be imperfect and 'shallow', but democracy it is nonetheless. There may be no justification for indulging in end-of-history democratic triumphalism as far as Brazil is concerned, but there is at the same time no reason to dismiss, as some still do (especially on the Left), the establishment of democratic institutions, the extension of political rights to all Brazilians and even the slow but steady progress that has been made in the field of civil and human rights as merely constituting 'formal' democracy. Nevertheless, those who argue that Brazilian democracy is not yet 'substantive', that it neglects economic and social 'rights', have a serious point. Brazil is a country with remarkably few of the regional, nationalist, racial, ethnic, linguistic, religious divisions, and conflicts that pose a threat to democracies, old and new, throughout most of the world. In this respect it is uniquely fortunate. But with the ninth or tenth largest economy in the world, Brazil is sixteenth or worse in interna-

tional league tables of human development and is a strong contender for the title of world champion in social inequality. Can democracy be healthy, can it properly function, can it even survive in the long run, when, as in Brazil, a third of the population (some would put it much higher) live in conditions of extreme poverty, ignorance and ill health and are treated at best as second class citizens?

Poverty, inequality, social exclusion (which despite Brazil's claim to be a racial democracy have a clear racial dimension) have their roots in Portuguese colonialism (especially the system of land ownership), in slavery (both colonial and post colonial), in (as some would still argue) post-colonial economic underdevelopment and 'dependency', in mass immigration in the late nineteenth and early twentieth centuries, in rapid urbanisation after 1940 — but also in past failures to address the 'social problem' of Brazil, as Eric Hobsbawm once said, is a monument to social neglect.

There was some reduction of poverty and exclusion (possibly even of inequality) as a consequence of economic growth, upward social mobility and social policy from the 1930s to the 1970s. But the situation worsened with the economic difficulties of the 1980s (the so called 'lost decade' in terms of economic growth) and the (albeit necessary) structural adjustment policies of the early 1990s. And despite the clear benefits to the poor of the anti-inflationary Real Plan, at least in its first years, and the rhetoric, and in some areas policies, of the Cardoso administrations, democratic government is perceived by many as having so far failed to promote a much needed social transformation in Brazil. In this respect it runs the risk of being considered no different from the non-democratic governments of the past.

III

Elites and people

Throughout modern Brazilian history every change of political regime — from the establishment of an independent empire in the early 1820s to the establishment of a modern representative democracy in the late 1980s — has demonstrated the extraordinary capacity of the Brazilian elites to defend the status quo and their own interests by controlling, co-opting and, if necessary, repressing the forces in favour of radical social change or, if you prefer, the extraordinary capacity of the Brazilian people for tolerating poverty, exclusion, inequality and injustice and thus collaborating in their own subordination. Not only has there been no social revolution in Brazilian history comparable, for example, to those of Mexico, Russia or China, there has been remarkably little popular mobilisation of any kind for political and social change. On the rare occasions when popular forces were mobilised and organised to challenge the status quo, especially after

1930, whether through elections or on the streets, the Brazilian elites (always with the military) have been prepared to take the necessary measures to contain them and even to support and maintain long periods of anti-popular, authoritarian government, as in 1937-45 and 1964-85.

Brazilian Independence in 1822 was more the outcome of political and military developments in Europe and their repercussions in the New World than some kind of 'general crisis' — economic, political, ideological — of the old colonial system producing an anti-colonial political movement. As late as 1820 there was no widespread desire in Brazil for total separation from Portugal. The main aim of the leaders and supporters of Brazilian independence in 1821-22 — *fazendeiros* (plantation owners), especially in the province of Rio de Janeiro but to a lesser extent also Bahia and Pernambuco, merchants in the principal cities and some bureaucrats — was to achieve political and economic autonomy without sacrificing the stability so crucial for the maintenance of Brazil's territorial unity and existing socioeconomic structures built, above all, on African slavery. (Brazil's population at the time, in a vast territory of three million square miles, was between four and five million, less than a third white, more than a third slave.) But once decided upon independence was secured quickly and peacefully — without a long and bloody war with the colonial power or civil war (in sharp contrast to events in Spanish America), and without significant social mobilisation or social upheaval. The popular forces were in any case weak — and divided by class, colour and legal status; no significant concessions had to be made to the underprivileged groups in society. The transition from colony to independent empire was characterised by political, economic and social continuity. The existing Portuguese state apparatus never ceased to function. The economy suffered no major dislocation. Above all, as well as the existing pattern of land ownership, the institution of slavery survived — in all regions of the country and, while heavily concentrated in plantation agriculture, in all sections of the economy and society, rural and urban.¹⁴

No far-reaching land reform was ever effected. But Brazil did eventually abolish slavery — though not until 1888. The greatest threat to slavery in the nineteenth century, however, had come not from opposition within Brazil (which was always weak) but, given Brazil's dependence on massive annual imports of new slaves, from outside in the form of the unremitting and finally successful pressure from Britain to end the transatlantic slave trade. From the middle of the nineteenth century slavery entered into decline, but there were still over one and a half million slaves in Brazil in 1870 (more than at Independence) and over a million in 1880. The Brazilian abolitionist movement of the 1880s represented the highest

level of urban middle class, and to a lesser extent popular, mobilisation for social change seen thus far in Brazil. But it played a relatively minor role in the final collapse of slavery which was more the result of the cumulative effects of long-term economic and demographic change, mass flights by slaves and voluntary liberations by slave-owners, the supply of an alternative source of labour in the form of Italian immigrants, and political decisions taken by the imperial government.¹⁵

Brazil was not only the last independent state in the Americas to abolish slavery, it was also the last to declare a republic — one year later in 1889. It was no accident that the republic was finally proclaimed in the centenary year of the French Revolution. The ideology of republicanism, especially radical republicanism, supported by progressive urban middle class intellectuals, was profoundly French-inspired. But there was no revolution in Brazil in 1889. As Louis Couty, a French resident in Rio in the early 1880s, famously remarked 'Brazil has no people', that is to say, no popular forces that could be organised and mobilised for political ends.¹⁶ The Brazilian republic came out of a military coup born of a conspiracy between a small number of army officers and representatives of the rising coffee-producing landed oligarchy of the state of São Paulo. Like the transition from colony to empire, the transition from empire to republic was marked more by fundamental social and economic continuity than by change.

The Revolution of 1930, which brought an end to the First Republic and the hegemony of the São Paulo coffee oligarchy, was in no real sense a revolution at all. Getúlio Vargas, governor of Rio Grande do Sul and the defeated candidate in the elections in March, came to power in November 1930 as a result of an armed rebellion led by dissident members of the political elite, especially in Rio Grande do Sul and Minas Gerais but also São Paulo, and disaffected military officers; this triggered intervention by the federal army to remove President Washington Luis from office. It represented yet another shift in the balance of power between landed regional elites more than the emergence of new social forces and brought the military to the centre of power, where it remained for next 60 years.¹⁷

Elections in 1933 for a Constituent Assembly and the constitution drawn up the following year were meant to inaugurate a cycle of 'democratisation', but the emergence in 1935 of the radical Aliança Nacional Libertadora (ANL) and a failed communist attempt to seize power in November 1935 led to the imposition of a state of siege. When elections under new 'democratic' rules fixed for January 1938 threatened to produce a result unacceptable to Vargas and the military — either a restoration of

¹⁵ For an introduction to the question of the abolition of slavery in Brazil, see Bethell, (1991).

¹⁶ Quoted in Carvalho (1987), p. 10.

¹⁷ The best book on the Revolution of 1930 remains Fausto (1907).

the former 'liberal democracy' dominated by state oligarchies and especially the coffee interests of São Paulo or a populist president offering to improve the lot of the dispossessed (*a política dos pobres*), they were absorbed by military coup in November 1937. Getúlio Vargas was to remain in power for another eight years.¹⁸

The Vargas era was notable for state- and nation-building, economic development and modernisation but also, and not least, a shift in the relations between state and society, especially the urban working class. Labour unions represented the first autonomous organisations of civil society in Brazil. Their protests and strikes during the first decades of the twentieth century had been met by severe police repression. As Brazilian industry expanded in the aftermath of the Depression and especially during the Second World War, large sections of the working class, previously in independent, often anarchist or socialist-led *sindicatos*, were gradually drawn into close relationship with the state, reinforced by an ideology of class collaboration, class harmony and social peace. Much of the corporatist labour legislation of the Estado Novo remains in force today.

In 1945, at the end of the Second World War, the Vargas dictatorship came under considerable pressure to liberalise Brazil's political system. But the pressure was less domestic than international: Brazil was one of the United States' closest allies in the struggle for democracy against fascism. Vargas finally promised 'free' elections confident that he had the means (through control of the state apparatus) and support (especially from the ranks of the organised working class) to win them. Significantly, both the pro-Vargas and anti-Vargas parties chose military figures as their candidates for the presidency. Neither had much popular appeal, certainly less than either Vargas himself or Luis Carlos Prestes, the leader of the Brazilian Communist party (PCB), who had spent the entire period of the Estado Novo in prison.

The process of 'democratisation' was initiated and controlled *pele alça*, from above. But between May and October 1945 Brazil's major cities experienced unprecedented mass political mobilisation, orchestrated in part by the PCB and, more particularly, by the so-called *guerristas* (from the slogan 'Queremos Getúlio', We want Getúlio). There were growing fears among those conservative sectors in Brazil newly committed to 'democracy' that popular forces were being dangerously radicalised. It took a soft intervention by the United States and another military coup (this time to remove Vargas from power) to guarantee the elections scheduled for December, which were won by General Dutra, Vargas's minister of war, representing the forces that had sustained the Estado Novo.

Brazil's newly instituted 'democracy' was restricted in scope and fundamentally anti-popular in nature. The price of democracy was continued state

control of organised labour, continued restrictions on political participation (no extension of the vote to the illiterate half of the population), and repression of the communist Left (after the PCB had polled half a million votes — ten per cent of the vote — in both the presidential and congressional elections of December 1945 and in the gubernatorial, State Assembly and municipal elections of January 1947). The distribution of seats in Congress under the 'democratic' Constitution of 1946 ensured that the more conservative states of the north and northeast were overwhelmingly over-represented at the expense of the states of the south and southeast, especially São Paulo. Finally, and most important of all, the military retained its independent political power. It remained largely beyond civilian control, and without its support it was impossible for any elected president to remain in power.¹⁹

Underpinned by the rapid economic growth of the post-war period, this limited form of democracy survived several political crises, notably those surrounding the suicide in August 1954 of Getúlio Vargas (who had been elected to the presidency in the second post-war elections in 1950) under pressure from the military to resign, and the resignation in August 1961 of President Janio Quadros, whose many problems included his relations with the military, after only eight months in office. In the early 1960s, however, with by now a much higher level of popular participation in politics, a number of factors, principally a sharp economic downturn but also including the impact of the Cuban Revolution, combined to radicalise the popular forces in Brazil. Labour and the Left demanded radical social and economic change. The 'Right' (including by now large sections of the urban middle class) was prepared to support (indeed encourage) a military coup if this was the only way of preventing the kind of radical change sought by the Left. Overstimulating the strength of the forces for change and underestimating the strength of the existing power structure, civilian and military, and its unity and decisiveness when its interests came under threat, President João Goulart (1961–64) attempted to create an opening to the Left. The result was his overthrow by the military on 31 March 1964, bringing to an end Brazil's post-war 'experiment with democracy'. There was little popular resistance.²⁰

The process of political liberalisation leading finally to democratisation in the 1970s and 1980s was, like that at the end of the Estado Novo in 1945–46, initiated and controlled from above. It was not primarily a response by the military to opposition MDB/PMDB victories in elections (as in the congressional elections of 1974 or the gubernatorial elections of 1982), nor the unexpectedly strong emergence of civil society in the form of new unionism in 1978–79 and the formation of the Workers' Party (PT) in 1979–82, nor even

19 On the 'democratisation' of Brazil at the end of the Second World War, see Bethell (1992).

20 On the collapse of post-war democracy in 1964, see dos Santos (1986), and Argentin from *Fronteira* (1993).

the extraordinary mass mobilisation in favour of Diretas Já (immediate direct presidential elections) in 1984 (which after all failed) — although these all played their part. Rather, the regime sought to consolidate and advance its own institutionalisation and reduce the costs of repression. It is not even clear that democracy was ever the intended outcome. Only when it lost control of the presidential succession process, being no longer able to count on a majority in the Electoral College, did the military to throw its weight behind a deal struck between PDS dissidents (who later formed the Partido da Frente Liberal — PFL) and the opposition PMDB under which the 75 year old liberal-conservative opposition politician Tancredo Neves became the 'official' presidential candidate. Tancredo was duly 'elected', but as is well known never took office. He was taken ill on the eve of his inauguration and died a few weeks later. The presidency went to the vice-president-elect José Sarney who was, though a civilian (and therefore the first civilian president of Brazil in more than two decades), the former president of the ruling party under the military regime.

In 1985 a transition from military to civilian rule (but not yet to democracy) was peacefully effected. It was a *transição pactuada*, a transition *sem ruptura*. The Nova República, like the limited form of democracy established in 1945–46, was thus compromised by its origins. It was built on the institutional foundations of the authoritarian regime it replaced.²¹ Those who were anticipating simply a continuation of military rule by other means were, however, confounded. Sarney, despite some delaying tactics, presided over a genuine transition to democracy, culminating in the presidential elections of 1989 based on universal suffrage.

The 1989 presidential election was not, however, as we have seen, won by the PMDB, the main opposition movement for over 20 years and by far the biggest and broadest party in Brazil, as might have been expected, nor by the PDT, the party of Leonel Brizola, the heir to Getúlio Vargas and João Goulart, nor by the PT, the new grassroots opposition party, whose leader, Lula, reached the second round, but by Fernando Collor de Mello — young, energetic, psychologically unstable and corrupt (as we know now), a hitherto virtually unknown politician from the poor northeast state of Alagoas with no significant party behind him. He proved attractive to the dominant class, which, after the 21-year military dictatorship, had no credible candidate of its own; to the poor who were susceptible to his populist appeal; to some sections of the middle class; and, to their lasting shame, to some intellectuals.²²

The 1994 election was again won by neither the PMDB, nor the PDT, nor the PT, but by Fernando Henrique Cardoso and the small Centre-

21 On the process of liberalisation/democratisation in the 1970s and 1980s there is a vast literature. See, in particular, Martins (1986), also Stepan (ed.) (1989).

22 In the first round Collor secured 30.5 per cent of the *votos válidos* (i.e. excluding the blank and spoiled ballots), Lula 17.2 per cent and Brizola 16.5 per cent. In the second round Collor had 53 per cent, Lula 47 per cent.

Left/Centre PSDB, which had split from the PMDB in 1988, backed by the parties of the Centre-Right/Right, especially the PFL. In 1994, even more than in 1989, the principal aim of the conservative forces in Brazil, which again, after the Collor debacle, had no candidate of their own, was to defeat Lula, who six months before the election had a considerable lead in the opinion polls and was apparently heading for victory. It was the Real Plan, of course, with its promise of a final end to runaway inflation, that guaranteed victory for Cardoso and in particular secured the support of the poorest sections of Brazilian society.²³ Above all, the 1989 and 1994 (and 1998) elections in Brazil, like most mass democratic presidential elections in the late twentieth century, were won not so much by the candidates and certainly not by their parties, but by serious money, modern campaign organisation and methods and the influence of the media, especially television.

In each of these elections Lula, the defeated candidate, had had to battle against deep-rooted prejudice: the majority of Brazilians (of all classes) found it hard to imagine as president a São Paulo *metalinguista* from a poor rural northeastern background with only a modest primary education. But the PT also contributed to its own defeat: it was internally divided; many of its policies were unconvincing; its social base in the industrial working class was too narrow; it could never decide whether to bid for the support of the very poor and underprivileged or to look for alliances in the Centre ground (which were in any case probably unavailable).

In the light of Brazil's political history, political culture and political system as described in this chapter (and the defeat of the socialist Left almost everywhere in the world in this period), the growth of the PT in the 1990s was therefore a remarkable story. Lula increased his personal vote from 17 per cent in 1989 (first round) to 27 per cent in 1994 and 32 per cent in 1998. Moreover, in every election — 1990, 1994, 1998 — the PT increased its seats in both the Senate and the Chamber of Deputies, as well as the number of states it controlled (including the Federal District in 1994 and Rio Grande do Sul in 1998). In the municipal elections the PT also won control of major cities like São Paulo (1988 and 2000) and Porto Alegre (1988, 1992, 1996 and 2000). The party's triumph in the elections of 2002 was even more remarkable — and, it has to be said, until the final stages of the campaign, largely unexpected. The PT became overnight the largest party in the Chamber of Deputies (although with only 91 of 513 seats) and the third largest in the Senate. More importantly, Luiz Inácio Lula da Silva finally won the presidency, securing 46.4 per cent of the *votos válidos* in the first round (39.4 million votes) and 61.3 per cent in the second round (52.8 million votes). It will be interesting to see when research on the 2002 elec-

23 Cardoso won in the first round with 54 per cent of the *votos válidos*. In 1998 he won re-election in the first round with 53 per cent.

tions is complete whether, as seems probable, the poorest sections of Brazilian society for the first time in Brazilian history voted in significant numbers for the Left, that is to say, for the PT and Lula — and why.

IV

Democracy, Citizenship and Social Justice

Since the three Brazilian administrations democratically elected in 1989, 1994 and 1998 all depended for support in Congress on the parties of the Right, Centre-Right and Centre which, except in a rhetorical sense, do not put social issues high on their agendas, since these administrations were in any case constrained in their capacity to focus on the 'social question' by the demands of macroeconomic stability, especially the need to reduce the fiscal deficit, by low economic growth, and by the realities of Brazil's position in the international economy, and since Brazil's social problems are intractable and not susceptible to short-term solutions, it is not surprising that progress in this area has been slow. However, it does matter that democratic governments are seen to make a difference. And democracy does offer more possibilities for fundamental social change — and peaceful change — than other political systems. All Brazilians, even the indigent, the poor, the illiterate and semi-literate (tens of millions of them), now have the vote. Despite all the obstacles put in their way, not least by the unreformed political system itself, they can use it effectively in their own interests — or not.

Education is perhaps the key. 'We must educate our masters', famously declared Robert Lowe in the House of Commons on the passage of the Reform Act of 1867. (What he actually said was, 'I believe it will be necessary that you should prevail on our future masters to learn their letters'.) Almost a century later Anísio Teixeira, one of Brazil's greatest educators, declared, 'There will only be democracy in Brazil the day the machine (*maquina*) that prepares people for democracy — the public school — is assembled in Brazil'. Primary education is an area in which considerable improvements have been made in recent years, though reform has too often seemed to have been driven more by the needs of the economy in the twenty-first century than by the requirements of education in citizenship (building a democracy of citizens, not just voters), and it remains woefully inadequate.

Organisation is also important. Civil society is now highly mobilised in Brazil, offering new forms of participation and 'empowerment', but it is perhaps less *politically* combative than in the recent past. Its connections to political parties, even the PT, are relatively weak. And it is still working out how to make the democratic state 'useable'. The elected Centre/Centre-Right Brazilian governments of the 1990s could have been more effectively pres-

sured into engaging in more meaningful dialogue with the representatives of civil society and with leaders of opposition political parties and, without resorting to 'populist economics', could have been made more responsive to the economic and social needs of the mass of the population, more willing to give priority to compensatory, redistributive social policies.

If Brazil's still relatively new democracy fails to deliver not only economic benefits to the population as a whole but at least the beginnings of a more equitable distribution of wealth and power, it will always be fragile and will always struggle to command popular support. And there are dangers to democracy — not so much from social revolution (there is nothing in Brazilian history or political culture to suggest this as a real possibility, as we have seen, and any resort to more violent ways of demanding economic and social change outside democratic institutions would, as always, meet powerful resistance), or from military coup as from self-destruction. Like electorates in many other Latin American countries, the Brazilian electorate — overwhelmingly young (almost 50 per cent under 35), poorly educated (70 per cent with no more than seven years in primary school) and extremely poor (60 per cent of the economically active living on less than two minimum wages, not much more than US\$100 per month) — could in certain circumstances be persuaded to support populist, authoritarian solutions to their problems. Besides maintaining hard-won economic stability and restoring healthier levels of economic growth (in a most difficult economic climate, both domestic and international), the principal challenge (and opportunity) for the Lula administration which came to power in January 2003 is to demonstrate that Brazil can successfully combine 'formal' liberal representative democracy with a significant extension of citizens' rights and a much greater measure of social justice.