

The Challenge to Democracy in Brazil

A TUC Report



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Contents

Foreword	5
Executive summary	6
Labour and Austerity	7
Democracy and Human Rights.....	7
Racism, Sexism, Homophobia and Transphobia.....	8
Environmental Protection and Indigenous Rights	9
Introduction: The fall and rise of authoritarianism in Brazil.....	10
Bolsonaro in power	11
Historical Context	12
From dictatorship to democracy	12
The Workers’ Party takes control.....	13
Lavo Jato and the rise of the far right	14
Enter Bolsonaro	17
Labour rights and austerity.....	19
Austerity: Rousseff to Temer.....	21
Austerity: Bolsonaro	22
Covid-19 and austerity	23
Labour reforms.....	25
Workers’ rights and the labour movement.....	27
Democracy and Human Rights	28
Political violence	29
State violence	30
Authoritarianism under Bolsonaro	31
Press freedom	32
Anti-corruption.....	32
Racism, Sexism, Homophobia and Transphobia.....	35
Racism and racial inequality	36
Sexism and gender inequality	38
Homophobia and transphobia	40
Environmental Protection and Indigenous Rights	42
The advance of the extractive frontier	43
Deforestation.....	45
Impunity as state policy.....	46

Indigenous rights	47
Conclusion.....	49
Recommended Areas for Action	51

Foreword

Workers and their unions in Brazil face an unprecedented assault. The far-right government is attacking employment and labour rights, undermining minority groups, and wrecking the welfare state with free-market reforms and austerity. We must stand shoulder to shoulder with our Brazilian sisters and brothers during their hour of need.

This important report describes how the social progress achieved by Lula da Silva and Dilma Rousseff has been thrown into reverse by the governments of Michel Temer and now Jair Bolsonaro, the so-called “Trump of the Tropics”. It charts how Black workers, women, LGBT+ people and indigenous communities are bearing the brunt of Bolsonaro’s “war on internal enemies”. And, ahead of next year’s crucial elections, it highlights how Brazilian democracy itself is at risk.

Playing straight from the far-right playbook, the government has interfered in the legal system, allowed political violence to flourish, targeted journalists and activists, and turned a blind eye to the worst police brutality since the days of the military dictatorship. Even if Bolsonaro is defeated at the polls, there is no guarantee he will respect the verdict of the voters and agree to a peaceful transition of power.

Bolsonaro is also pursuing one of the most anti-trade union agendas in the world, with the ITUC now ranking Brazil among the 10 worst countries in the world for working people. His government has pared back rights at work to the bare minimum, giving a green light to bad bosses to exploit workers. And it has unilaterally ended check-off, deliberately throwing unions into financial and organisational crisis.

As unions and civil society have been targeted, the poorest, most vulnerable sections of Brazilian society have suffered the consequences. Indigenous people and environmental activists have paid a terrible price as the government has allowed developers to trash natural habitats. Violence against women has spiralled out of control and reproductive rights have been attacked. And Black people have been systematically disadvantaged as the government has put the interests of the wealthy white elite first.

A self-described “proud homophobe”, Bolsonaro has also ruthlessly undermined LGBT+ citizens. Homophobic hate crime has risen sharply. And Brazil now ranks as the worst country in the world for violence against transgender people.

To add insult to injury, the Bolsonaro government’s calamitous handling of the Covid-19 emergency has further exacerbated already extreme inequalities. Draconian austerity policies have strangled Brazil’s ability to fight the pandemic, leaving a trail of

death, despair and destruction across the country. The President's scepticism towards the pandemic has come with a devastatingly high price tag.

For all these reasons, Brazil must be a big priority for our movement. Our values – internationalism; compassion; solidarity – have never mattered more than now. With Lula emerging as a favourite to beat Bolsonaro in next October's election, British unions must offer practical support to our friends in Brazil. And what happens in Brazil matters hugely to the wider political ecosystem of Latin America, where progressives and radicals face an increasingly hard battle against powerful conservative forces.

So please read this report – but more importantly, get involved in campaigns to advance political, social and environmental justice in Brazil. Working people in Brazil really do need our solidarity.

Frances O'Grady, General Secretary, TUC

Executive summary

Brazil has been a priority for the TUC since 2017 when, following the removal of Dilma Rousseff's Workers' Party (PT) government in a judicial and congressional coup, an unprecedented assault on the rights of organised labour and on the country's welfare state was initiated by Dilma's successor Michel Temer. The crisis has since been compounded by the rise of the far-right administration of Jair Bolsonaro, who was considered an extremist even during the years of military dictatorship. This report

responds to urgent requests for international scrutiny and solidarity from Brazilian trade unions. It aims to reveal the extent of the damage done by Bolsonaro to Brazilian democracy, workers and human rights and the environment and show how unions and others are resisting this assault on rights.

The report covers four major areas of concern: labour rights and austerity; democracy and human rights; racism, sexism, homophobia and transphobia; and the environment and Indigenous rights.

Labour and Austerity

- Brazil has been catapulted into the ITUC's list of the 10 Worst Countries for Working People, with a rating of 'No guarantee of Rights', strikes violently repressed and trade unionists threatened and murdered
- The President has used his power to weaken the unions, abolishing the Ministry of Labour founded in 1930, transferring oversight of industrial relations to the justice ministry, and oversight of union registration to the finance ministry
- Bolsonaro has unilaterally ended 'check off', the process by which employers facilitate union membership through payroll collections, immediately plunging Brazil's trade unions into a deep financial crisis, and is planning to rip up workers' rights still further
- A commitment to austerity has strangled Brazil's ability to respond to Covid-19. An emergency exemption was granted to allow for crisis funds, but despite pressure from civil society and opposition Bolsonaro has resisted spending the full amount allowed, adding to the devastation caused by a pandemic which he dismissed as "a little flu".

Democracy and Human Rights

- Bolsonaro has rapidly reversed advances in human rights and equality made by previous administrations, particularly the PT governments of Lula da Silva and Dilma Rousseff

- The authoritarian Bolsonaro and his supporters have already stepped-up efforts to discredit next year's election results, giving rise to fears he will resist a peaceful transition of power in the event of his defeat. This follows the previous election after Lula was wrongly imprisoned.
- Bolsonaro has pushed for legislation that would effectively grant police a license to kill in any situation in which they feel threatened
- Political violence is on the rise, with 125 cases of political murder and attempted murder over the last five years, and 15 candidates, pre-candidates and party officials were murdered during municipal election campaigns between 1 September and 4 November 2020
- The government has published a list of journalists, activists, and social media influencers that it considers hostile to its agenda, and has encouraged its supporters to attack them online

Racism, Sexism, Homophobia and Transphobia

- Indigenous groups have suffered increased incursions into their territories and have been particularly vulnerable to the impacts of Covid-19
- Homophobic and transphobic disinformation were a crucial part of Bolsonaro's social media-driven 2018 electoral campaign. LGBT+ people have since been publicly demonised and educational programmes promoting understanding of different sexual orientations and gender identities have been curtailed
- Since Bolsonaro came to office, Black, female and LGBT+ Brazilians have also become increasingly vulnerable to violence. Brazil boasts one of the worst records of violence against women in the world.
- Black youth are also far more likely to be victims of state violence, accounting for roughly 75 per cent of those killed by police

- Women's reproductive rights are under threat. The Secretary for Women, Family and Human Rights favours the elimination of all forms of abortion in Brazil
- With 129 murders in 2020 between January and September, Brazil remains the most violent country for transgender people in the world.

Environmental Protection and Indigenous Rights

- An area seven times larger than Greater London was lost to deforestation in Brazil between August 2019 and July 2020, most of it in states of the Amazonian and Centre West regions.
- Bolsonaro has pledged to legalise mining in Indigenous territories
- Bolsonaro has systematically defunded environmental protection agencies and dismantled oversight mechanisms. He has cut the funds for operations to prevent environmental crimes by 24 per cent and the Ministry of the Environment also stands accused of deliberately underspending its budget.

Brazil has become one of the most dangerous countries in the world for environmentalists. In 2019, 24 environmental activists were murdered, with 90 per cent of the killings occurring in the Amazon region

Introduction: The fall and rise of authoritarianism in Brazil

This report assesses the threats facing Brazilian democracy at the most difficult and dangerous moment for the country since re-democratisation. Bolsonaro's government has attacked democratic institutions, workers' and human rights, and environmental protections. Women, Black, Indigenous and LGBT+ Brazilians, all of whom achieved important victories in their struggles for rights during the early years of the century, have faced a vicious backlash. But this challenging context is giving rise to new forms of resistance, and to new alliances between workers and historically oppressed groups committed to building a brighter future for Brazil.

Today's Brazil provides a dramatic example of the popular authoritarianism that has, over the past decade, reshaped the political landscape of from the United States to India. Brazil's new right, which propelled Jair Bolsonaro to power, has gained support and influence by posing a radical challenge to progressive social institutions established since the country's return to democracy in 1985. It was Bolsonaro's previous failure to achieve political prominence that now allowed him to become a symbol of identification for many Brazilians, disillusioned with their diminishing prospects and distanced from the political establishment. However, his politics emerged from the military dictatorship that ruled the country from 1964 until 1985. Considered an extremist even during the years of military rule, Bolsonaro, who took office at the beginning of 2019, now promotes the destruction of Brazil's fragile social state, as well as its natural environment. And he incites violence against those he

considers internal enemies – those at the forefront of progressive politics in Brazil today: workers, trade unionists, environmentalists, feminists, Black and Indigenous activists, members of the LGBT+ community, those engaged in historic struggles for rights and social change¹.

This chapter explores Brazil's post-dictatorship democracy, and how the impeachment of Dilma Rousseff and the subsequent imprisonment and disqualification from political office of former President Luiz Ignacio Lula da Silva (known as Lula) under the discredited *Lavo Jato* anti-corruption investigation, set the conditions for a full-scale attack on social progress in Brazil.

Bolsonaro in power

The long-term damage that the impeachment of Dilma Rousseff, the imprisonment of Lula and the election of a proto-authoritarian president have inflicted on Brazilian democracy and on workers' rights is hard to calculate, but it is certainly severe. More immediately, Bolsonaro's government has had devastating effects for the health and wellbeing of Brazil's population and natural environment. By deliberately undermining the frontline health response during to the Covid-19 pandemic, and promoting a culture of denialism, Bolsonaro is responsible for hundreds of thousands of excess deaths². He initially attempted to stoke opposition to vaccines, promoting unproven 'pre-emptive' treatments instead, before opportunistically claiming credit for the country's vaccination programme.³ Meanwhile, his role in accelerating the destruction of the Amazon rainforest over the last three years represents an equally dire threat.

Brazil's armed forces have played a key role in Bolsonaro's rise and in his government. In the run-up to the 2018 election, senior members of the armed forces overtly sought to boost Bolsonaro's candidacy and undermine his opponents.⁴ Bolsonaro's government comprises more than 6,000 military personnel – significantly more than at any point under the military dictatorship. Many members of the armed forces are directly implicated in the government's crimes, including the accelerated destruction of the Amazon and the corrupt and negligent handling of the pandemic.⁵ Bolsonaro's government therefore represents a remilitarisation of Brazil in a very literal sense, even if their association with it may ultimately harm the image of the armed forces.

¹ Human Rights Watch, "Brazil Bolsonaro Threatens Democratic Rule", September 15, 2021

² Harris, B, "Brazil Covid inquiry set to recommend indictment of Jair Bolsonaro", *The Financial Times*, 15 October 2021

³ Hennigan, T, "Bolsonaro looks to be working against a vaccination programme for selfish reasons", *The Irish Times*, Sunday, December 13, 2020

⁴ Harig, C, "Militarisation by Popular Demand?", *Bulletin of Latin American Research*, 2021

⁵ Benites, A, "Pazuello pode responder a três processos criminais e um cível por depoimento na CPI", *EL Pais*, March 20, 2021

At time of writing, Bolsonaro still maintains a substantial, if declining support base. As demonstrated on 7 September 2021, he and his most zealous supporters have the capacity to mobilise large demonstrations and intimidate opponents. But the end of emergency payments to informal workers during the pandemic, the huge death toll from Covid, and revelations of corruption have contributed to a substantial drop in his approval rating over the last year.

Meanwhile, in March 2021, in a dramatic about-turn, the Supreme Court restored Lula's political rights, opening a path for him to run for the presidency once again in 2022. Polling from September 2021, by Datafolha, has projected that Lula would defeat Bolsonaro in a landslide second round victory. But, with Bolsonaro regularly hinting at the possibility of an 'auto-coup' and questioning the credibility of Brazil's electronic voting system, it is far from clear that there will be a 'free and fair' election in 2022. Moreover, even if Lula wins and is able to return to office, he will face significant challenges in redressing the structural weaknesses of the Brazilian economy and the deep fractures in Brazilian society.

Historical Context

From dictatorship to democracy

After twenty-one years of military dictatorship, civilian government returned to Brazil in 1985 and in 1989 Brazilians were once again able to vote directly for their president. The dictatorship had been responsible for the murder of hundreds of political

opponents and thousands of indigenous Brazilians,⁶ as well as the violent persecution, imprisonment and exile of trade unionists, activists, journalists, and artists. It had also belatedly participated in Operation Condor, the US-backed counter-insurgency campaign that carried out thousands of assassinations across South America.

By the time Congress voted to elect a new civilian president, in 1985, the Brazilian elite had decided that economic liberalisation was the means to modernisation and restoring growth, and that this would require political opening. But re-democratisation was also the result of significant popular pressure. Mobilised by trade unions, social movements, progressive segments of the Catholic Church, and opposition parties, the mass protests known as *Diretas Já!* (Direct Elections Now!) showed widespread support for an end to military rule.

However, hopes for a deep structural transformation of Brazilian society were abandoned amid the clamour for representative democracy. In 1988, under President José Sarney, a former ally of the military dictatorship, a new constitution enshrined political rights, as well as certain social rights – to education, health, work and leisure, pensions, and social assistance.⁷ But it also preserved elements of the dictatorship's repressive regime. The military police were maintained, as was the role of the Armed Forces in guaranteeing internal order. No serious efforts were made to bring to justice those most responsible for human rights violations under the dictatorship.⁸ Although the generals withdrew from government, the legitimacy of military influence over public affairs survived. Rather than dismantle Brazil's authoritarian structures, the 'New Republic' built the democratic state around them.

During the 1990s, Brazil was governed by parties of the centre-right. Large-scale privatisations were combined with a neoliberal macroeconomic regime, which eventually brought Brazil's historically volatile inflation rate under control, though at great cost to manufacturing industries.⁹ Although somewhat mitigated by the construction of a minimal social safety net, unemployment soared, and inequality remained at historic levels. Then, in 2002, for the first time, Brazilians elected a working-class president, the former trade union leader and founding member of the Workers' Party (PT), Luiz Inácio Lula da Silva.

The Workers' Party takes control

Lula's government preserved central aspects of the existing economic model, while also deepening social policies aimed at combating poverty and accelerating social

⁶ Speetjans, P, "Long entrenched Brazilian military mindset is key to Amazon policy: Expert", *Mongabay*, 26 October, 2020

⁷ Starling, H and Schwarcz, L, *Brazil: A Biography*, Farrar, Straus and Giroux, New York, 2015:564-5

⁸ Bevens, V, "Jair Bolsonaro, Brazil's Would-be Dictator", *The New York Review of Books*, October 12, 2018

⁹ Saad-Filho, A, "Varieties of Neoliberalism in Brazil (2003-2019)", *Latin American Perspectives*, Volume 47 issue: 1, 2019: 16

inclusion. Favourable global economic conditions allowed the government to maintain a large primary surplus, pay off debts to the IMF and turn Brazil into a creditor country. Meanwhile, Brazil projected its power through international diplomacy, assuming leadership in the global fight against poverty, building alliances across the Global South, and adopting a more assertive posture in multilateral negotiations.¹⁰ But the biggest changes came at home. An expansion of social security, increases to the minimum wage, and systematic deployment of conditional cash transfer programmes all contributed to a historic reduction in inequality and a historic growth in consumption among the poor.¹¹ After two terms, Lula left office in 2010 with an approval rating of 87 percent.

Much of this support was initially transferred to his chosen successor within the PT, Dilma Rousseff. Rousseff's first years in office represented a clear continuation of Lula's legacy of deepening social inclusion. Overall, from 2003 to 2012, over 40 million Brazilians (around 20 per cent of the total population) were lifted out of poverty. Infrastructure projects brought electricity and running water to some of Brazil's poorest regions. Social housing was made available to poor families across much of the country. Access to higher education was significantly expanded. And millions of workers were incorporated into the formal labour market for the first time, with employment rights extended to domestic workers, drivers and security guards.

However, the trend towards deindustrialisation that had begun two decades earlier, was not substantially altered; and a growing proportion of the workforce was drawn into casual and precarious, albeit formal, labour. Meanwhile, the PT, dependent – given Brazil's multiparty system – on deals with clientelist parties to govern, also made alliances with construction companies and agribusiness; and avoided potential fights over regulating media conglomerates and finance capital, which exercised growing influence over politics. With violence and organised crime growing in much of the country, an increasing challenge was addressing the security concerns of urban populations. With these underlying challenges, a change in the political and economic climate would begin to erode the PT's position.

Lavo Jato and the rise of the far right

In June 2013, small protests were held in the city of São Paulo in opposition to a rise in bus fares. A violent crackdown by police provoked anger, which spread rapidly and unexpectedly across the country. Initially mobilised by the left-wing *Movimento Passe Livre* (Free Pass Movement), the nationwide protests highlighted a lack of investment in public services, contrasting this to massive expenditure on prestige projects ahead

¹⁰ Anderson, P, *Brazil Apart: 1964-2019*, London, Verso, 2019

¹¹ Singer, A, *Os Sentidos do Lulismo*, Companhia das Letras, São Paulo, 2015

of the 2014 World Cup and 2016 Olympics. However, as the protests grew, drawing in newly politicised members of the middle class, their character changed.

Organisers of some demonstrations banned the participation of political parties, unions, and social movements and ambiguous, moralistic accusations of corruption against the political class gained prominence. Although they had begun over specific, often local, issues, over time, popular anger became directed towards the incumbent national government. According to political scientist Leonardo Avritzer, 'June 2013 opened the way for a reorganisation of conservative sectors in Brazil, first on the Internet and later on the streets.'¹² It was amid the ideological confusion of the June protests that the seeds were sown for the far-right movement that would eventually form around Bolsonaro.

In 2014, the Brazilian economy entered a crisis from which it has yet to recover. In a tightly fought election that year, Rousseff's second-round opponent, Aécio Neves of the centre-right Brazilian Social Democratic Party (PSDB), sought to mobilise widespread discontent and a growing mood of *antipetismo* (anti-PT sentiment) among wealthier segments of the population. Rousseff nonetheless went on to narrowly win re-election. However, with the backing of senior figures in his party, Neves issued unfounded accusations of election fraud and called his supporters to the streets. The official audit one year later confirmed Rousseff's victory, but the damage to democratic norms in Brazil would endure.

This moment gave rise to new reactionary groups, such as *Vem Pra Rua* (Come to the Street) and *Movimento Brasil Livre* (Movement for Brazilian Liberty), which, both online and in the streets, contributed to radicalising the newly politicised middle classes. Mixing economic libertarianism with social conservatism, they increasingly incorporated more anti-democratic elements of the Brazilian far right. As they expanded, they helped to normalise attitudes that had become marginal to public discourse since redemocratisation – the glorification of military rule, overt bigotry, violent intolerance of political opponents – as well as propagating the anti-communist conspiracy theories now associated with the so-called 'nationalist international'.¹³ Their immediate concern at this stage, however, was mobilising support for Rousseff's impeachment.

They were helped in this regard by *Operação Lava Jato* (Operation Car Wash), an anti-corruption investigation initiated in the city of Curitiba in 2014 that would become the

¹² Avritzer, L., *Política e antipolítica: A crise do governo Bolsonaro* (São Paulo: Todavia, 2020).

¹³ This term refers to the grouping of far right, nationalist leaders across the world, who have provided mutual validation through their rhetorical opposition to the 'globalism' of liberal internationalists. Former adviser to Donald Trump, Steve Bannon, has sought to formalise an international nationalist alliance, which he has named 'The Movement'. On the history of nationalist internationalism, see Motadel, D., 'Nationalist Internationalism in the Modern Age', *Contemporary European History* 28, 1(2019): 77-81.

largest in the country's history. Initially focused on money laundering, investigators uncovered a kickback scheme involving the state-owned oil company Petrobras. Inflated construction contracts had been awarded to a cartel of giant firms in return for kickbacks to politicians and political parties. As a result of the investigation, leading business executives and politicians were jailed. Meanwhile, prosecutors and, most notably, the leading judge in the investigation, Sergio Moro, became celebrities, receiving regular, sympathetic media coverage.

From an early stage, Moro and the prosecutors were accused of political bias, for disproportionately targeting the PT and its allies, as well as contravening legal norms in their zeal for convictions. Leaked phone messages published by *The Intercept*, in 2019, revealed that prosecutors had doctored evidence, targeted Supreme Court judges considered hostile to the investigation, and consulted illegally with Moro in building their case against big-name defendants. They also revealed illegal collaboration with officials from the United States Department of Justice.¹⁴

As *Lava Jato* expanded, it provided a handy pretext for different groups that wished to see the PT removed from government. Sensationalistic new coverage conflated corruption cases with unfounded claims from the opposition implicating Rousseff, even though she faced no criminal charges and her government had actively promoted the investigations. Towards the end of 2015, the speaker of the lower house of Congress agreed to initiate impeachment proceedings against Rousseff, after it became clear¹⁵ that the government would not protect him from prosecution on corruption charges that he himself was facing.

The case against Rousseff rested upon two accusations relating to 2015: that she signed three decrees to increase credit for expenditure on social programmes without congressional authorisation; and that she delayed payment to a public bank for money spent on a government agricultural programme. It was only at the end of 2015, more than six months after the delayed payment in question, that the Federal Court of Accounts decided that such delays were illegal. When, in 2016, the Legislature decided that Rousseff's accounting irregularities constituted 'crimes of responsibility' (the condition for impeachment), it thus accepted a new, post-hoc interpretation of the country's budgetary laws, not previously applied to other presidents or governors who had behaved similarly.¹⁶

On 17 April 2016, Congress voted in favour of impeachment, with many, incorrectly but revealingly, citing corruption as their motivation. Ironically, unlike Rousseff, some

¹⁴ Viana, M, Neves R, "O FBI e A Lava Jato", *Agência Pública/The Intercept Brasil*, July 1, 2020.

¹⁵ See Anderson, P, *Brazil Apart: 1964-2019*, London, Verso, 2019

¹⁶ These same 'fiscal step-overs' were later legalised by Congress during Michel Temer's stint in power in late 2017.

60 per cent of deputies participating in the vote were themselves under investigation for corruption.¹⁷ On 31 August, the decision was upheld in the Senate (where more than half also faced corruption charges) and Rousseff was officially removed from office. The political chicanery involved in Rousseff's impeachment was later laid bare by a leaked recording of a conversation between a senator of the Brazilian Democratic Movement (MDB) party, Romero Jucá, and an influential billionaire businessman. In it, the senator affirmed that the impeachment was necessary not to end government corruption, but in order to halt the corruption investigations, given protection by Rousseff, that threatened the rest of the political class.

Rousseff was succeeded by her erstwhile vice president, Michel Temer, also of the MDB. His two years in power were characterised by constant corruption scandals and an aggressive attack on social rights, both of which contributed to a collapse in his approval ratings. The other main party of the centre-right, the PSDB, was also discredited, having accepted key posts in his government.

In this context, the PT made a moderate recovery in public opinion, and the new right, which had formed in the aftermath of 2013, sought more radical alternatives. Lula had announced his intention to stand as the PT's presidential candidate in 2018 and was the frontrunner in the polls at the start of the year. However, in April, Lava Jato judge Sergio Moro fast-tracked Lula's conviction on dubious charges of money laundering and passive corruption: Lula's subsequent imprisonment barred him from the Presidential race. Although the PT contested Moro's decision, Lula's disqualification was upheld by the Superior Electoral Court.

As for Moro, he would later be rewarded with an invitation to become Justice Minister in Bolsonaro's government, which he accepted.

Enter Bolsonaro

This was the context for Bolsonaro's ascent in 2018. After an undistinguished 28-year career in Congress, Bolsonaro presented himself as an outsider committed to cleansing the country of corruption, disorder, and criminality. His campaign amplified the reactionary moral arguments of the new right, cultivating conspiratorialism and propagating disinformation on social media through an illegally funded scheme of targeted messaging. His message was not merely strategic political positioning at a time of widespread anger, it reflected the violent authoritarian brand of politics that he had always stood for. For years he had advocated police violence, defended torture

¹⁷ BBC Brasil, 'Políticos que votam impeachment são acusados de mais corrupção que Dilma, diz jornal americano', 29 March 2016.

and called for the extermination of political opponents and activists, and the 2018 campaign was no different.¹⁸

Bolsonaro also gained the backing of capital, in large part thanks to his appointment of Paulo Guedes, a Chicago-trained economist with a history in banking, as his finance minister. As a result, major corporations and much of the financial sector came to see him as the candidate best placed to accelerate the neoliberal reforms and privatisations initiated under Temer. And Bolsonaro's supporters boasted that they had the support of then US president Donald Trump, promising to align Brazilian foreign policy with his campaign against "globalists".

Bolsonaro's election campaign was also enabled by a sophisticated disinformation network known as 'the cabinet of hate', funded by pro-Bolsonaro businessmen through an illegal slush fund¹⁹. This network spread a series of bizarre myths about the PT in the run-up to the election, including the idea that kindergarteners were being indoctrinated into 'gender ideology' through the provision of 'gay kits'.²⁰

Beyond key interest groups and his core base, Bolsonaro was able to capture the protest votes of Brazilians exhausted by insecurity, economic crisis and political instability. In a second-round run-off against the eventual PT candidate Fernando Haddad, Bolsonaro was elected president, with 55 per cent of registered votes.

The rest of this report details the human and environmental cost of this victory.

¹⁸ for more on Bolsonaro's personal history, see Lapper, R, *Beef, Bible and Bullets: Brazil in the Age of Bolsonaro*, Manchester University Press, Manchester, 2021

¹⁹ Campos Mello, 2020

²⁰ For more see, TUC Report, "The rise of the far right: Building a trade union response", December 2020, in particular section 3 "Far-right media, online networkers and subcultures": 13-19

Labour rights and austerity

Since 2016, Brazil's working class has come under sustained attack from successive governments. As has happened worldwide, big capital and its allies have sought to reverse the advances made through the collective struggle of organised labour. The assault on labour has taken two main forms. The first is a labour reform that has severely weakened Brazil's trade union movement and collective bargaining in the country. The second is a constitutional amendment (PEC 55) that has compelled governments to implement austerity measures for two decades.

Meanwhile, Brazil has become a more hostile place for trade unionists. From being ranked by the ITUC as the second-best country for workers in Latin America in 2016, it has been considered one of the ten worst countries in the world for working people for the last three years.²¹ Since Bolsonaro took power, four trade unionists have been murdered, and there have been repeated reports of violent police suppression of strikes, with organisers beaten up, and trade union leaders facing death threats and arbitrary arrest.

Both the labour reforms and austerity regime have undermined Brazil's ability to protect its population during the Covid-19 pandemic. Junéia Martin Batista, Women's Officer of the *Central Única dos Trabalhadores* (CUT), summarised the dramatic impact of these reforms:

The labour 'deform'²² of November 2017, as well as the PEC 55 of August 2016, in addition to the social security deform of 2019, on top of the Coronavirus pandemic of 2020, in my opinion, have had an absolutely nefarious impact on the life of the working class [...]. The PEC 55 freezes "spending" for 20 years – until 2036 – with health and social assistance being the main areas affected. That means fewer health centres, fewer hospitals, fewer medical check-ups for women, less day care, fewer social services. The labour reform allows hiring without formal contracts, without social protection. The social security reform further increases the working time required to receive a pension, without taking care work into account.

²¹ ITUC, Global Rights Index 2021

²² Junéia used the term "*deforma*" (deformation) rather than "*reforma*" (reform) as a pun to highlight the perverse motives and impacts of these legislative changes.

Beginning with a series of strikes in the late 1970s, Brazilian workers created one of the strongest and most militant trade union movements in the world. Known as the 'new unionism', Brazil's movement of self-organised workers contributed to mass mobilisations and, ultimately, the end of military rule. Ironically, by the time Lula, a former metalworker and trade union leader, was elected president, trade unions had generally become a less influential force in Brazilian politics following a period of rapid deindustrialisation, the privatisation of state-owned enterprises, and workforce flexibilisation.

While the early years of the 21st century saw contradictory processes, including improved pay and new protections for workers, but also increased use of outsourcing, since 2016, there has been a fierce and sustained attack on workers' rights. In particular, representatives of big business have taken advantage of the ascendancy of the right to lobby fiercely for the further flexibilisation of labour. However, there are divisions in this alliance. Some of Bolsonaro's corporate allies are unsatisfied with the speed of deregulation and with the state of the economy during the pandemic. While he maintains close ties with agribusiness and retail, some business leaders have opened dialogue with the PT.²³

This section outlines the impact of austerity on the Brazilian economy and the working class, detailing the severity of labour reforms and the impact of austerity on the country's response to Covid-19. It also explores countervailing forces and forms of resistance and organising that are emerging in opposition the Bolsonaro government.

²³ Audi A and Bispo, A, "O Agro é Golpe", *The Intercept*, August 21, 2021



Activists of the CUT demonstrate against Bolsonaro

Austerity: Rousseff to Temer

Following more than a decade of relatively steady growth and declining poverty, in 2014 Brazil fell into recession, hit hard by a collapse in commodity prices. The economy shrank by 3.8 per cent in 2015 and 3.6 per cent in 2016, by which time unemployment had risen to 12 per cent of the working population.²⁴ Following her re-election in 2014, Dilma Rousseff raised interest rates and cut government expenditure on public services and social programmes. However, a concerted programme of austerity would only be implemented once Rousseff had been ousted from office in 2016.

Just a few months after assuming the presidency, Michel Temer pushed a constitutional amendment (PEC 55) through Congress that limited public spending increases to the projected inflation rate. This amounts to a freeze on spending on health, education, and social assistance, even as the population grows. Described as ‘the harshest austerity programme in the world’ by economist Laura Carvalho, the bill delinks social spending from GDP growth.²⁵ The earliest it can be overturned is 2026. Even then, a change would require a three-fifths majority in Congress.

²⁴ Galvão, A and Marcelino, P, “The Brazilian Union Movement in the Twentieth-First Century”, *Latin American Perspectives*, Vol 2, March 2020:84-86

²⁵ Aleem, Z, “Brazil just enacted the harshest austerity program in the world”, *Vox*, December 15, 2016

It is hard to overstate the devastating effects of this amendment on Brazil's fragile welfare state. Indeed it directly contravenes the Brazilian constitution's commitment to guaranteeing social rights – in 2017, the government underspent on the minimum health budget guaranteed by the Constitution by the equivalent of 100 million pounds. In 2018, the Lancet warned that “Neoliberal health policies, combined with the deregulation of labour laws, amid severe economic crisis are not only working against the idea of social justice, but also are likely to exacerbate two major public health concerns of the country: socio-spatial and socioeconomic inequalities in health and the high homicide rate.”²⁶ In essence, the burden of cutting public spending was loaded entirely on the backs of Brazil's poor and working classes.

The effects of defunding Brazil's public health system are being laid bare by the Covid-19 pandemic. The United Nations Human Rights Commission has stated that, “The effects are now dramatically visible in the current crisis. Government funding cutbacks have violated international human rights standards, including in education, housing, food, water and sanitation, and gender equality.”²⁷

Austerity: Bolsonaro

Bolsonaro campaigned in part on the premise he would champion pro-market reforms and appointed ultra-neoliberal Paulo Guedes as his Finance Minister. Guedes was key to ensuring Bolsonaro had the support of Brazilian and international capital in the run-up to the 2018 election, and was heralded in the international business press as the man who would implement the most ambitious reform agenda in the country's history.

Since Bolsonaro came to power, the cuts to public spending and social services initiated by the Temer government have, indeed, continued. In many areas, the Bolsonaro government has fused the neoliberal agenda demanded by the financial markets with the cultural agenda of the extreme right. As shown in other chapters, government agencies tasked with promoting human rights, protecting the environment, and representing women, Indigenous and Black Brazilians have been systematically gutted or dismantled altogether.

The effects of this blending of neoliberalism with social conservatism can perhaps most clearly be seen in the education sector. In 2019, there was a concerted effort by the government to cut public education budgets. This included a 30 per cent budget cut to federal universities, justified in part by citing “internal anarchy” and claims of

²⁶ Doniec, K, Dall'Alba, R and King, “Brazil's health catastrophe in the making”, The Lancet, Volume 392, 10149: 2018731-732, SEPTEMBER 01, 2018

²⁷ United Nations Human Rights Commission, “COVID-19: Brazil's irresponsible economic and social policies put millions of lives at risk, UN experts say”, 29 April 2020

widespread drug use on campuses. Bolsonaro and his supporters have made repeated claims about “cultural Marxism” and “gender ideology” being promoted in secondary schools and universities, and have attacked the humanities as politicised and unproductive²⁸.

This fits neatly with the privatisation agenda pursued by the Ministry of Education in collaboration with the private education lobby. As the budgets of the leading federal public universities have been slashed, the Ministry of Education wants to simplify federal accreditation of private colleges which already enroll over 70 per cent of undergraduate students. These are typically the option most available to working-class Brazilians unable to gain acceptance to the free elite public universities, though often at the cost of indebtedness.²⁹

Despite the force of this attack in recent years, Bolsonaro has, on the whole, not been a skillful promoter of his government’s neoliberal agenda. In his first year in office, he failed to build support in Congress for passing significant legislation. Nonetheless, Congress President Rodrigo Maia gathered support for a pension reform bill that was finally passed on October 29, 2019. This reform created a new minimum retirement age of 62 for women and 65 for men, reduced permanent disability pensions by 40 per cent, reduced the value of pensions for everyone outside the richest income brackets, and effectively locked millions of informal workers out of the system by extending the minimum contribution period to 20 years.³⁰

The next major reform being pushed by the government is a constitutional amendment that, if passed, could transform the country’s public sector. The bill will grant the president new powers to remove job protections, get rid of public bodies, and reorganise entire departments. It also allows for government departments to employ private sector contractors and removes constitutional guarantees of benefits for future public sector employees.³¹ The still-powerful public-sector unions delayed the reforms for some time and, as the government’s popularity declined, negotiations in Congress stalled. However, it has recently passed the committee stage in Brazil’s lower chamber of congress, so unions will need to mobilise quickly and international solidarity is vital.

Covid-19 and austerity

The Covid-19 crisis forced the government to suspend PEC 55 using a special emergency protocol. However, much of the damage to the public health system had

²⁸ Redden, E, “In Brazil, a Hostility to Academe,” *Inside Higher Ed*, May 6, 2019

²⁹ Nunes, R, “Jair Bolsonaro Is Weaker Than He Looks”, *Jacobin*, June 10, 2019

³⁰ Ribeiro G, “Pension Reform” What is it?”, *The Brazilian Report*, October 22, 2019”

³¹ The Brazilian Report, “Dissecting Bolsonaro’s proposal to Reform Public Service, *The Brazilian Report*, September 8, 2020

already been done. Emergency spending in 2020 amounted to around £82 billion, or 8 per cent of total GDP. Apart from public health costs and stimulus spending, much of this total included the special emergency grant of 600 reais a month for poor, unemployed and informal workers. In total, over the course of 2020, the federal government poured a reported BRL 1 trillion (nearly £150 billion) into the economy, also including aid for companies and bailouts for state and municipal administrations.

The emergency grant was proposed by leftist lawmakers and was initially opposed by Bolsonaro. However, despite his initial opposition, Bolsonaro was largely able to take credit for the grant: the largest cash transfer program in the country's history. It reached as many as 67 million Brazilians – far more than the famed *Bolsa Família* programme introduced by the PT - and the effects were enormous. Brazil saw its sharpest reduction in poverty since 2004 and there was increased economic activity in the poorest parts of the country. At its peak, the emergency grant accounted for 97 per cent of the income of the country's poorest 10 per cent.

However, despite pressure from civil society and legislators from opposition parties pushing the Bolsonaro administration to launch broad, long-term income support for the poor³², the government instead reduced the grant to 300 *reals* per month between September and December 2020, and then ended it in January 2021, before restarting it in April of 2021 at even lower levels. At the same time, the cost of living has increased significantly as a result of rising food and utilities prices, leading to rising levels of poverty and hunger³³ and contributing to Bolsonaro's declining popularity in 2021. Meanwhile, the government has so far refused to introduce any new taxes on Brazilian corporations or the super-rich, or to act against endemic tax avoidance. Brazil's tax code is extraordinarily regressive and contains countless loopholes for elites to avoid paying income tax if they own a company under particular investment conditions.³⁴

Fights over public spending and austerity within the Bolsonaro government will continue in the build-up to next year's election, as many erstwhile coalition partners fear the political consequences of new austerity measures. Bolsonaro is currently more dependent than ever on the support of the traditional rent-seeking parties in Brazil's Congress. Their continued support is all that protects him from impeachment over his handling of Covid-19 and their support comes at a high price, both in resources for their local interests and in key cabinet positions for their representatives. Bolsonaro also has his own political fortunes to worry about and is attempting to increase public

³² <https://www.npr.org/2020/08/31/906215778/coronavirus-hit-brazil-considers-major-public-funds-for-poor-and-unemployed?t=1636652052561>

³³ Alves, L, "Pandemic puts Brazil back on the world hunger map", The New Humanitarian, July 19, 2021

³⁴ Clemente, F and Silveira Lirio, "Tax Evasion in Brazil and the Institutions to Control", International Journal of Accounting and Financial Reporting 7(1), March 2017

spending on social grants to try to win back supporters; however, he faces strong opposition in this endeavour from the centre-right and finance markets.

Labour reforms

In 2017, Congress passed the most extensive set of labour reforms since 1943, altering more than a hundred clauses in existing labour laws. Measures included extending the workday from 8 to 12 hours, abolishing mandatory union dues and increasing flexibility for employers to hire and fire, including the hiring of freelance workers. The bill passed without even a pretence to democratic legitimacy, as the unelected Temer government was historically unpopular and unconcerned about re-election. As a result, the reforms were not discussed with any trade unions or labour councils, but instead drafted directly by lobbyists working for employers' associations.

Bolsonaro has declared in the past that workers “enjoyed an excess of rights”³⁵, and has even suggested on occasion that unions should be done away with altogether. His subsequent victory closed off any possibility of the reforms being mitigated, and instead further changes to the way unions are funded and regulated have made the situation considerably worse.

The reforms effectively transformed Brazil's system of collective bargaining, giving primacy to direct negotiation between employers and employees over existing labour legislation. Labour courts are now subject to the principle of minimum intervention and will only be tasked with verifying compliance with basic labour rights. José Dari Krein, Professor of Economics at the Federal University of Campinas, described the reform as legally rubber-stamping employer practices that are already widespread and deepening a long-term trend of the increasing precarisation of work. This required dismantling countervailing forces both within the state and the labour movement, as Krein outlines:

In order for the reform to be implemented, there couldn't be strong public institutions counterbalancing them – this logic, of businesses having the freedom to decide how work is organized. And there couldn't be strong unions. In that sense, the reform was very successful from their point of view. It greatly weakened the trade union movement, and then, following the reform, its capacity for resistance.

As this implies, the reforms signified a fundamental break with the 1943 model, in which the government provided direct subsidies to unions through mandatory union

³⁵ <http://www.lrdpublications.org.uk/publications.php?pub=LR&iss=1971&id=idp758080&fromopp=y>

dues. Indeed, the harshness and scope of the labour reforms were more extreme than anything passed during the military dictatorship. Critics of the bill have claimed it violated both the Brazilian constitution and the ILO conventions to which Brazil is a signatory. As a result, union dues fell nationwide by 90 per cent, devastating union budgets and limiting the scope for collective action.³⁶

Walmir Siqueira, a Director of the Teachers' Union for the State of São Paulo (APEOESP) and a secondary school teacher in the North Zone of São Paulo city, described the impacts of the 2017 labour reform in public education:

We have a landscape in education in which they are outsourcing as much as possible. They've outsourced the work of school inspectors, they've outsourced the work of cleaning the schools, they outsourced the catering, the school kitchen staff are now outsourced. And the teachers are hired on precarious contracts. It's no longer done with public service exams, the teachers are hired temporarily.

Walmir explained to us that it was a victory of APEOESP that these temporary contracts at least last for three years and not a single school year as was originally proposed. However, in other respects, working conditions had deteriorated markedly. For example, he told us that he expected to have 40 to 45 students in his classroom in 2021.

Bolsonaro wishes to go further, however. One of his first presidential decrees prohibited employers from collecting trade union dues through payslips. Now trade unions must post bills to each member's home, requiring employers to pay dues at a bank every month. Another proposal on the table seeks to establish a dual employment system in which workers can opt for a "green and yellow card" in addition to the traditional employment record book. Under the pretext of job creation, this system would mean workers were subject to direct negotiation with employers, without mediation from trade unions, and would lose such fundamental rights as a

³⁶ McKenna, E, "Taxes and tithes: The organizational foundations of bolsonarismo", International Sociology, Vol: 35 issue: 6, 610-631

Christmas bonus and paid leave. Krein told us that this reform would be a “total disaster”, and would “bury everything that still exists of labour rights.”

Workers’ rights and the labour movement

Stripped of the state protections they enjoyed prior to the 2017 reforms and facing a hostile government, Brazil’s labour movement finds itself in a precarious situation. One of Bolsonaro’s first acts as president was to close the Ministry of Labour, which had first been established in 1930. Guedes’ hostile Finance Ministry is now responsible for overseeing pensions, workplace safety, and salary guidelines. Union registration, meanwhile, is now under the jurisdiction of the Justice Ministry.

The 2017 labour reform and the destruction of the Ministry of Labour have led to a fragmentation of shop floor trade union representation, increasing competition for members between federations and unions. Shorn of their main source of funding, the power of trade union federations has been greatly reduced, opening the way towards smaller trade union affiliates and organisations.

Since its key role in re-democratisation, Brazilian unions have not remained confined to narrowly defined labour issues. Instead, they have mobilised across diverse areas, from industrial policy to social policy to key political struggles. While it has played an important role in resistance to the Bolsonaro government, and remains a powerful force, years of recession, political attacks and the effects of the pandemic have left the trade union movement on the backfoot.

In 2017, only 14.4 per cent of the economically active population belonged to a trade union, down 3.2 per cent since 2016.³⁷ The highest union density is found in the public sector, with 27.3 per cent, while the unionisation rate of private sector workers has fallen to 19.2 per cent. Among self-employed workers, it has declined from 11.3 per cent in 2012 to just 8.6 per cent in 2017.³⁸ (With the elimination of the Ministry of Labour, even accessing information on unionisation and workers’ rights has become a difficult task).

According to José Dari Krein, Brazil’s labour movement is in crisis as a result of recent political and economic developments, but not a “terminal crisis”. It remains the most organized force representing working-class Brazilians. It also has a chance of returning its candidate, Lula, to the presidency in 2022, which could begin to reverse some of the defeats suffered in recent years. In the meantime, our interviewees described struggles as being fought from a defensive position. According to Walmir Siqueira, rather than pushing for salary increases as in the past, today APEOESP’s main aim is to

³⁷ Galvão, A and Marcelino, P, 2020: 89

³⁸ *Ibid.*

“minimally maintain rights previously won”. These include protecting jobs, benefits and minimum working conditions. Junéia Batista of CUT similarly described the response of the trade union movement in terms of a defensive strategy:

Of course, we still have strong and combative unions, but at the moment we’re assessing how we are going to continue to defend the [working] class without ever playing the employers’ game.

More broadly, the unions are having internal debates about how to reorganise and innovate under current conditions. Promising developments identified by our interviewees include the development of stronger ties with other social movements and the increased use of online platforms for holding events and reaching new audiences. Since the onset of Covid-19, there have been several new organising drives focused on unionising Brazil’s growing legion of delivery workers. These must brave dangerous roads on motorbikes and bicycles, not to mention the risk of Covid infection, with little or no support from employers.³⁹ This new type of labour organising among precarious and informal workers will be vital to the future of the Brazilian workers’ movement.

Democracy and Human Rights

Although constitutional law and democratic elections returned to Brazil in the 1980s, the effective promise of respect for human rights remains unfulfilled. Former UN Special Rapporteur on Human Rights, Paulo Sergio Pinheiro, describes Brazil as having ‘democracy without citizenship’:⁴⁰ the rights and ideals of citizenship expressed in Brazil’s 1988 constitution have never been realised for the majority. Millions of Brazilians live in fear, in territories controlled violently by militias, rural oligarchs, or criminal groups. Public security and a functional legal system simply do not exist across large swathes of Brazil, and where they do exist, they often serve to enforce structural inequality and systemic violence against the working class and the poor and, in

³⁹ Sudré, Lu, “Brazil: App delivery workers ask general population for help in national strike” *Brasil de Fato*, June 29, 2020

⁴⁰ Pinheiro, P. S., ‘The Paradox of Democracy in Brazil’, *The Brown Journal of World Affairs* 8, 2 (Winter 2002):15.

particular, Black Brazilians.

Unequal access to civil and political rights is underpinned by Brazil's stark economic and social inequalities, which, in turn, are legacies of its history of colonialism, slavery and authoritarianism. The “paradox”, as Pinheiro puts it, is that the return of Brazilian democracy did not end the everyday violence carried out by state agents. The PT in government sought to enhance the political citizenship of the poor and working class by bolstering social rights and building a culture of human rights. However, even at the height of its electoral success, the PT possessed less than 18% of parliamentary seats in either House, making it impossible to eradicate the authoritarian structures of the Brazilian state. Reinforcing these structures, Bolsonaro has rapidly reversed the advances previously made. As Jandyra Massue Uehara Alves, Secretary of Human Rights at the Central Única dos Trabalhadores (CUT), told us:

Since Bolsonaro assumed the presidency of the republic, we have been experiencing the growth of an environment of violence and of human rights violations in Brazil. We have, in the presidency of the republic, an individual who is on the extreme right, with the support of the most backward sectors of the armed forces. The environment that this has created in Brazil stimulates violence against workers, especially against some groups.

This chapter will focus on the erosion of human rights and democratic norms in Brazil under Bolsonaro, while other chapters focus on the impacts on distinct groups -- workers, women, members of LGBT+ communities, and Black and Indigenous populations.

Political violence

Political violence is on the rise in Brazil. According to *The Brazilian Report*, 15 candidates, pre-candidates and party officials were murdered during municipal election campaigns between 1 September and 4 November 2020. A survey by the NGO *Terra de Direitos e Justiça Global* records 125 cases of political murder and attempted murder over the last five years, and, in total, 327 cases of political violence.⁴¹ Much of this violence targets municipal representatives: 92 per cent of victims of political violence were city councillors, mayors, deputy mayors, or candidates for local office. According to the International Trade Union Confederation’s Global Rights Index, two trade union leaders were also murdered in 2020.⁴²

⁴¹ Alves, R., ‘Brazil’s epidemic of political violence head of Municipal Elections’, *The Brazilian Report*, November 8, 2020.

⁴² ITUC, Global Rights Index 2021

The most famous victim of political violence in recent years was Marielle Franco, a Black, socialist, bisexual city councillor in Rio de Janeiro, from the Socialism and Liberty Party (PSOL), who was brutally murdered in 2018 by members of a Rio de Janeiro militia with close ties to Bolsonaro and his family. The investigation into her murder, and who might have ordered it, continues, though there has been little progress after more than three-and-a-half years.⁴³ A number of prominent critics of Bolsonaro, such as ex-congressman Jean Wyllys (formerly of PSOL, but now affiliated to the PT), have been forced out of the country due to death threats.

Bolsonaro has frequently made violent threats against left-wing parties and politicians. During a 2018 campaign event, he spoke of machine-gunning PT supporters.⁴⁴ In April 2020, he allegedly came close to ordering the military to shut down the country's Supreme Court.⁴⁵ At pro-Bolsonaro rallies, it is common to hear calls for the execution of Supreme Court justices and for a 'final solution' for Brazil's Congress.⁴⁶ In 2021, facing declining political fortunes, Bolsonaro has intensified his anti-democratic rhetoric and issued threats of a coup, as will be further discussed later in this section.

State violence

An enduring legacy of Brazil's dictatorship is the militarisation of the police. The assignment of public security functions to military forces is estimated to be part of the reason for why Brazil regularly tops global rankings for police killings: 5,804 were reported in 2019, almost 15 per cent of all murders committed that year.⁴⁷ Police in Rio de Janeiro State alone killed 1,810 citizens in 2019. The victims of police violence are almost all poor. Of those killed in Rio de Janeiro, 78 per cent were Black or mixed race.⁴⁸ However, official figures do not account for those killed by off-duty police or death squads, which, over the last two decades, have expanded their activities in many Brazilian cities⁴⁹.

Brazil has the third highest prison population in the world, with 773,000 prisoners in a system with a maximum capacity of 461,026.⁵⁰ Over a third of all prisoners are under pre-trial detention. Conditions in prison are appalling, with little or no access to

⁴³ Carvalho, I, "Marielle, Jair and militias, a web of facts exposing the president's underworld", *Brasil de Fato*, 14 March 2020

⁴⁴ <https://www.nytimes.com/2018/10/17/world/americas/brazil-attacks-bolsonaro-haddad.html>

⁴⁵ Gugliano, M, "Vou Intervir", *Piauí*, edição 167, August 2020

⁴⁶ Fogel, B., 'Bolsonaro's Fuck You Coup', *Jacobin*, March 3, 2020.

⁴⁷ BBC, 'Rio violence: Police killings reach record high in 2019', 23 January 2020.

⁴⁸ *Ibid.*

⁴⁹ Dalby, C, "Killing of Brazil's Top Militia Leader Raise More Questions Than it Answers," *Insight Crime*, 16 June 2021

⁵⁰ Human Rights Watch, *Country Report: Brazil*, 2019.

healthcare or education, and endemic violence⁵¹. This situation has fueled the rise of organised crime. Powerful drug-trafficking factions such as São Paulo's First Command of the Capital (PCC) and Rio de Janeiro's Red Command (CV) formed in prisons to provide mutual protection to inmates, and have expanded along with the prison population. Prison riots periodically occur, often resulting in deadly violence committed by criminal factions or police.

For Bolsonaro, the conditions faced by prisoners are of little concern. Rather, he has consistently advocated the return of capital punishment, as well as arbitrary state and vigilante violence. For instance, he once defended an infamous death squad in Bahia on the grounds that 'as long as the state doesn't have the courage to adopt the death sentence, the crime of extermination... is very welcome'.⁵² He also ran for president promising to end restraints on police violence, characterising these as products of the excessive influence of human rights advocates. In government, he has pushed for legislation that would effectively grant police a license to kill in any situation in which they feel threatened. This measure was included in an anti-crime bill put forward by Sergio Moro during his period as justice minister. A slightly watered-down version ultimately passed through Congress, in 2019, granting police the right to use lethal force to ensure the safety of hostages.⁵³

Authoritarianism under Bolsonaro

In 2021, Bolsonaro and his allies in Congress have pushed for significant and highly regressive changes to Brazil's electoral system.⁵⁴ The proposals would increase impunity for electoral corruption and voter intimidation, weaken policies aimed at enhancing racial and gender diversity in politics, and hand greater power to political parties that trade their votes in Congress for financial rewards.⁵⁵ One proposal is for a system in which only individual tallies (rather than party tallies) are counted. This would advantage established candidates with greater political connections and resources. Another proposal would dramatically reduce the role of the electoral justice system to regulate, investigate and punish political candidates and parties. It would also give parties more autonomy over campaign spending and cut reporting requirements and mean that those guilty of illegal campaign financing would only incur small fines.

So far, the President has failed to get sufficient numbers to back these proposals, but

⁵¹ Human Rights Watch, "Behind Bars in Brazil", 2019

⁵² Richmond, M. and Fogel, B., 'Outsourcing Repression', Jacobin, June 4, 2019.

⁵³ Reuters, "Bolsonaro signs anti-crime bill designed to tackle violence in Brazil", December 25, 2019

⁵⁴ Brito, R and Boadle, A, "Bolsonaro picks new top cop after clashing with Brazil's Supreme Court", Reuters, May 4, 2020

⁵⁵ Fishman, A, "Bolsonaro Allies in Brazilian Congress Pushing Sweeping Electoral Changes to keep hold on power", The Intercept, August 11, 2021

neither has the opposition succeeded in defeating them.⁵⁶

Meanwhile, Bolsonaro and his supporters have already stepped-up efforts to discredit next year's election results in the event he is defeated, giving rise to fears there will be violence, some kind of anti-democratic rebellion (of the sort seen in the US on 6 January 2021), or even a coup. Bolsonaro has claimed that the electronic voting machines used in Brazil are susceptible to fraud and tampering and that the political establishment plans to rig the election to get Lula back into power.⁵⁷

Press freedom

Bolsonaro has targeted activists, journalists and academics with threats of violence, smear campaigns, and other forms of intimidation. Female journalists have been especially targeted, in some cases with misogynistic accusations and even rape threats.⁵⁸

The government has gone as far as publishing a list of journalists, activists, and social media influencers that it considers hostile to its agenda, and has encouraged its supporters to attack them online. It has also used the dictatorship-era National Security Law to investigate critics. For instance, Brazil's most popular YouTuber, Felipe Neto, was investigated for the 'corruption of minors' for referring to Bolsonaro's handling of the pandemic as 'genocidal'. While a judge dismissed the claim, Bolsonaro's use of the courts against political opponents marks a disturbing turn.⁵⁹ Prominent supporters of the president, including his own son, congressman Eduardo Bolsonaro, have called for a new Institutional Act Five⁶⁰ (known as AI-5) to suppress his critics – a reference to the most notorious decree of the dictatorship, which removed political freedoms and institutionalised torture⁶¹.

Anti-corruption

Systemic corruption has plagued Brazil since the birth of the republic, and anti-corruption politics has been central to many of the most important events in the country's political history. The military coup of 1964, for example, was justified partly

⁵⁶ <https://apnews.com/article/science-caribbean-brazil-b2e06ac9af1ec7b015b0ae6a1bf9ac98>

⁵⁷ Camelo, J, "Lula's plan to build bridges with Brazil's military", The Brazilian Report, August 16, 2021

⁵⁸ Article 19, 'Brazil: Media freedom at crisis point as Government fails to protect journalists', Article 19, June 2020

⁵⁹ Fishman, A, "Bolsonaro ramps up crack on dissent with Touch Brazil election looming", The Intercept, June 12, 2021

⁶⁰ <https://www.riotimesonline.com/brazil-news/brazil/eduardo-bolsonaro-hints-at-return-of-ai-5-one-of-brazils-darkest-moments/>

⁶¹ Al Jazeera, "Brazil outrage as minister references authoritarian 11-5 decree", 26 November 2019

as a measure to end political corruption. To assert that corruption in Brazil is systemic is to recognise it as an embedded feature of institutions, rather than an act of bad individuals or particular political parties.

The country's fragmented political system has made governance dependent on the formation of coalitions of expediency. Financial rewards tend to be provided to politicians and parties in return for support in the Legislature. But the practice of illegal exchange has also historically defined relations between political parties and big business.

As detailed in Chapter One, when the *Lava Jato* Operation was launched, in 2014, it was seen as representing a significant step on the path to tackling this sort of corruption. It was highlighted by Transparency International, as well as the United Nations, as offering a model for anti-corruption operations in the Global South.⁶²

However, critics claim *Lava Jato* has been politically slanted and exemplifies 'lawfare' (the use of the legal system to take down political opponents), pointing to political biases and disregard for due process. This type of lawfare has been an increasingly common tactic employed by the Latin American right, in collaboration with the United States, to undermine left-wing governments.⁶³ As the political bias of *Lava Jato* has become clearer, so has the role of US in the operation.⁶⁴

Such criticisms were validated by *The Intercept's* landmark '*Vaza Jato*' (Jet Leak) exposé. Leaked messages revealed that *Lava Jato's* prosecutors had repeatedly broken the law in pursuit of convictions. The messages confirmed suspicions that the prosecutors had colluded with judge Sergio Moro, and with certain members of the Supreme Court. They exposed the hostility of prosecutors towards the PT, and the reluctance to pursue political allies of *Lava Jato*, such as former president Fernando Henrique Cardoso and other figures from the centre-right PSDB. Key business allies were also revealed as receiving favourable treatment, while Supreme Court judges considered a threat were subject to illegal surveillance.⁶⁵

Lava Jato was only possible because of anti-corruption reforms passed by the PT. Having capitalised on anti-corruption politics to secure his election, Bolsonaro has since sought to protect himself and his family from investigations by dismantling existing legal mechanisms. Even protagonists in the *Lava Jato* Operation now recognise Bolsonaro as a threat to anti-corruption in Brazil. The leading prosecutor, Deltan

⁶² See Fogel, B, "Brazil's Never-Ending Criss", Catalyst, Vol 2, No2, Summer 2018 and Fogel, B, "Brazil's Corrupt Anticorruption Campaign", Tribune, August 3, 2020

⁶³ Fogel, B, "The Problem with "Anti-Corruption"", Jacobin, February 3, 2021

⁶⁴ Fishman, A, "House Democrats Want Answers About U.S. role in Disgrace Brazilian Corruption Probe", The Intercept, June 8, 2021

⁶⁵ Martins, R, Audi, A, Demori, L, Greenwald, G, and Dias, T, "Tem Alguma Coisa Mesmo Séria do FHC?", The Intercept, June 6, 2018

Dallagnol, resigned from the task force, claiming that the Prosecutor General, Augusto Aras, had been undermining investigations into the president's family. Moro himself resigned as Justice Minister purportedly on the grounds that Bolsonaro was interfering in the appointment of the head of the federal police.

With the PT out of power, much of the political class lost interest in sustaining the operation, and the *Vaza Jato* revelations provided an opportunity for them to clip its wings. Following the revelations that they were being spied upon by *Lava Jato* investigators, Supreme Court justices moved to curtail its powers. The judgement against Lula was overturned, leading to his release. *Lava Jato* itself was officially ended in February 2021 and a month later, Lula's original conviction was overturned by the Supreme Court. Lula thus had his political rights restored and is now eligible again to run for president in 2022. Another Supreme Court ruling found that Moro had not been impartial during Lula's trial⁶⁶, effectively making it impossible for Lula to be retried. Despite *Lava Jato's* undignified demise, such investigations are likely to remain political tools wielded by the powerful in a country plagued by systemic corruption.

⁶⁶ Reuters, "Brazil Supreme Court confirms ruling that judge was biased against Lula", June 23, 2021

Racism, Sexism, Homophobia and Transphobia

The rightward shift in Brazilian politics since 2014 can be understood as an elite project to restore the social hierarchies that had defined Brazil prior to the Workers' Party era. This has hit the working class as a whole, but it has also manifested in specific ways against certain vulnerable groups. For example, the country's Afro-descendant population has seen its socio-economic conditions and social rights diminished far more dramatically than white Brazilians. Indigenous groups have seen increased incursions into their territories and have been particularly vulnerable to the impacts of Covid-19.⁶⁷ Female representation in government has been radically reduced and women's reproductive rights further eroded. LGBT+ people have been publicly demonised and educational programmes promoting understanding of different sexual preferences and gender identities have been dismantled.

Since Bolsonaro came to office, Black, female and LGBT+ Brazilians have also become increasingly vulnerable to violence. The assassination, in March 2018, of the Black bisexual socialist city councillor Marielle Franco – who spoke out tirelessly against police violence and in defence of the rights of poor, Black, female and LGBT+ Brazilians – served as a warning of the type of violence that would increase under a Bolsonaro presidency. All our interviewees underscored that the greatest threat today is a further naturalisation of violence against vulnerable groups in a society already marked by some of the world's highest rates of police violence, homicide, femicide, and homophobic and transphobic hate crimes.

At the beginning of Chapter 3, we quoted Jandyra Massue Uehara Alves, Secretary of Human Rights at the *Central Única dos Trabalhadores* (CUT), who described the environment of violence and impunity created by the Bolsonaro government. She subsequently went on to describe to us how this environment especially affected the groups addressed in this section:

The environment that [Bolsonaro] has created in Brazil incites [...] violence against workers, but especially against some groups. Women: the growth of femicide in Brazil is something that, now with the

⁶⁷ Chapter 5 will discuss the threats faced by Brazil's indigenous populations and their struggles to preserve their land, identities, and ways of life. In this chapter, we focus on the structural and institutional forms of racism faced by Afro-descendent Brazilians.

pandemic, has increased a lot. The issue of racism against Black men and women: the police have acted, that is, they've increased state violence even [more], which was always very high, and now is reaching unbearable levels. [There is] also violence against homeless people, quilombolas,⁶⁸ LGBT, indigenous people. And [all of] this comes from this environment.

In this section we detail how forms of racism, sexism, homophobia and transphobia, already widespread in Brazilian society, have intensified in recent years and how this has also led to increased violence against vulnerable groups.

Racism and racial inequality

According to 2018 data from the Brazilian Institute of Geography and Statistics (IBGE), out of a population of some 209 million, one per cent of Brazilians identify as Indigenous, 43.1 per cent as white, 9.3 per cent as black and 46.5 per cent as brown or mixed race. As the latter two categories are typically combined for statistical purposes under the single classification of (in English) Black or Afro-Brazilian, over half of Brazil's population is Afro-descendant and the country has the largest Afro-descendant population in the Americas.⁶⁹

Brazilian elites have long claimed that Brazil is not a racist country, typically pointing to its highly mixed population and the absence of the kinds of legalised segregation and discrimination found in the recent history of countries like the United States and apartheid South Africa. However, extreme inequalities exist between Brazil's white and Afro-descendant populations with Afro-Brazilians disproportionately targeted by police violence and unable to access key drivers of social mobility like good quality education, health, and housing⁷⁰.

Under the PT, a series of higher education reforms – including the expansion of the public university system, the implementation of racial and socioeconomic quotas in public universities, and the introduction of student grants and loans for study in private universities – significantly increased the presence of black and low-income Brazilians in higher education. As a result, by 2018, black students represented 50.3 per cent of public university (federal and state) students, while 70.5 per cent of federal

⁶⁸ Traditional Afro-Brazilian communities, originally founded by escaped slaves.

⁶⁹ IBGE, "Desigualdades Sociais Por Cor Ou Raça No Brasil | IBGE," Informação Demográfica e Socioeconômica (RJ: IBGE- Instituto Brasileira de Geografia e Estatísticas, 2019), <https://www.ibge.gov.br/estatisticas/sociais/populacao/25844-desigualdades-sociais-por-cor-ou-raça.html?=&t=publicacoes>. Racial categories are typically conceived by appearance rather than hypodescent (ancestry), as is the case in the United States, and statistics are based on self-identification

⁷⁰ Telles, E, "Racial Discrimination and Miscegenation: The Experience of Brazil", United Nations Chronicle

university students came from households that made less than 1.5x the monthly minimum wage.⁷¹

Despite these advances in higher education, severe racial disparities remain the norm in other spheres of life, notably employment and vulnerability to violence. Since the 2014 financial crisis, Black Brazilians have made up 54.9 per cent of the workforce, but over 64 per cent of unemployed and 66 per cent of underemployed workers. Black Brazilians also make up the majority of informal workers, with black women notably concentrated in domestic work. Though policies introduced by the Workers' Party governments led to a significant reduction in poverty, racial inequality in incomes has remained stark. In 2018, 32.9 per cent of Afro-descendant Brazilians made less than \$5.50 USD/day compared to 15.4 per cent of white Brazilians. Even in the formal labour market, white employees make on average 73.9 per cent more than their Black counterparts: R\$ 2,796 and R\$1,608, respectively.⁷²

According to Anatalina Lourenço, National Secretary for Combatting Racism at the CUT, the discrepancy between black Brazilians' improved educational outcomes and continued disadvantage in the labour market is the result of structural racism in Brazil:

You have more black women and men studying more, with more years of education. But Brazilian society is racist and structural racism is going to create other mechanisms. [...So] the black population, even with more years of study [...], when they go to the labour market... the student doesn't get the vacancies they've studied for. And often they go into other fields or other positions in the labour market and earn lower salaries. But even when they manage to get into the roles related to their field of study, their remuneration is lower. So as much as you've had inclusive policies over the last two decades [...] most people haven't experienced social mobility due to the restrictions they face in the labour market.

An issue that even more dramatically illustrates the structural nature of racism in Brazil is racial disparity in vulnerability to violence. According to the Applied Economics Research Institute's Atlas of Violence, of the almost 58,000 homicides committed in the country in 2018, 75.7 per cent of victims were Black.⁷³ What's more, between 2008

⁷¹ IBGE; ANDIFES, "Maioria Dos Alunos Das Universidades Federais Tem Renda Baixa - ANDIFES," ANDIFES (blog), May 17, 2019, <http://www.andifes.org.br/maioria-dos-alunos-das-universidades-federais-tem-renda-baixa-e-parada-ou-preta-e-vem-de-escola-publica/>.

⁷² IBGE, "Desigualdades Sociais Por Cor Ou Raça No Brasil | IBGE."

⁷³ "Atlas da Violência 2020" (IPEA, 2020), https://forumseguranca.org.br/publicacoes_posts/atlas-da-violencia-2020/.

and 2018 the homicide rate among Afro-Brazilians increased by 11.5 per cent, while it fell by 12.9 per cent among white Brazilians. Homicide is especially pernicious among Black youths: according to the IBGE, young black people between the ages of 15 and 29 were three times more likely than their white counterparts to be the victims of homicide in 2017.⁷⁴ Black youth are also far more likely to be victims of state violence, accounting for roughly 75 per cent of those killed by police. However, the President's anti-crime discourse is racially coded and he is openly hostile to the Black rights movement. This government has appointed individuals who deny the existence of racism in Brazil to government agencies responsible for research and advocacy on Black issues, such as the Palmares Foundation. Much damage has been done indirectly. While Bolsonaro is a staunch opponent of university quotas, dismantling them would require difficult legislative reforms. Nonetheless, cuts to spending on universities and student grants have had similar effects, meaning that many black and low-income students are no longer able to cover costs of transportation, accommodation and materials needed to continue their studies.

In terms of elected officials, Afro-descendent Brazilians remain significantly underrepresented in national politics. For example, of the 513 federal deputies elected to Congress in 2018, 75.6 per cent are white.⁷⁵ There have been advances at the municipal level, however. In the 2020 municipal elections, black and brown candidates outnumbered white candidates, for the first time in history. As a result, Black officials now comprise 44 per cent of city councillors nationwide.

Sexism and gender inequality

Bolsonaro's government represents a hugely retrograde step in the struggle for gender equality and women's rights in Brazil. As Roberta Eugênio, Co-Director of the Instituto Alziras⁷⁶ and former legal adviser to Marielle Franco, told us, "*Bolsonaro represents, in his rhetoric, practice and agenda, the opposite to guaranteeing more rights, security and respect for the victories of women and vulnerable groups.*"

This is most starkly revealed by the issue of gender-based violence. Brazil boasts one of the worst records of violence against women in the world. Based on 2018 data, the

⁷⁴ Garcia, D. "Homicídios entre jovens negros são quase três vezes maiores do que brancos e chegam a 185 por 100 mil," Folha de S. Paulo, 15 November, 2017.

<https://www1.folha.uol.com.br/cotidiano/2019/11/homicidios-entre-jovens-negros-e-quase-tres-vezes-maior-do-que-brancos-e-chegam-a-185-por-100-mil.shtml>

⁷⁵ Caio Bellandi, "Menos de um quarto dos deputados federais eleitos são pretos ou pardos," Agência IBGE Notícias, 13 November 2019.

<https://agenciadenoticias.ibge.gov.br/agencia-noticias/2012-agencia-de-noticias/noticias/25998-menos-de-um-quarto-dos-deputados-federais-eleitos-sao-pretos-ou-pardos>

⁷⁶ Instituto Alziras is a not-for-profit organisation that seeks to increase the presence of women in politics and public administration, <https://www.alziras.org.br/>.

Brazilian Forum on Public Security has estimated that a woman is physically harmed from domestic violence every two minutes. Lockdown measures during the Covid-19 pandemic were associated with a rise in domestic violence: in the first half of 2020, the rate of femicide rose by 1.9 per cent.⁷⁷ In 2019, 1,326 deaths were classified as femicides, of which 66.6 per cent were black women.⁷⁸ Bolsonaro has mocked the specific designation of “femicide” as “me-me-me” identity politics and claimed that arming women would be the best solution for reducing such homicides⁷⁹. However, his Secretary of Women, Family and Human Rights, the staunchly Evangelical Damares Alves, does support the continued classification of femicide as a distinct category of crime.

Rape, especially of young girls, is also disturbingly common. In 2019 alone, over 66,000 rapes were reported, of which 85.7 per cent were of women or girls. A shocking 57.9 per cent of victims were under the age of 13. It is estimated that just 7.5 per cent of victims of sexual violence notify the police⁸⁰ and that only one per cent of perpetrators end up in jail.⁸¹ In August 2020, Minister Alves, who favours the elimination of all forms of abortion in Brazil (it is currently legal in cases of rape and where the health of the mother is at risk) stoked protests against a 10-year-old rape victim's abortion by stating that the girl should have waited just two more weeks until the foetus was viable to have a caesarean.

More broadly, Bolsonaro's government has sought to promote “traditional family values”, ignoring the reality of family structures in Brazil today, threatening women's autonomy, and exposing them to health problems and the risk of violence. Junéia Batista of CUT's Secretary of the Woman Worker described this agenda in the following terms:

Bolsonaro won and put together a hardcore team with a fundamentalist Evangelical minister [Damares Alves], completely in favour of the 'traditional family' – daddy, mummy and little kids – in denial of existing Brazilian homes, many of which are single-parent homes, with women as heads of households, working as domestic workers, who are predominately

⁷⁷ Fórum Brasileiro de Segurança Pública, “Anuário Brasileiro de Segurança Pública” (São Paulo, SP: Fórum Brasileiro de Segurança Pública, 10 2020), <https://forumseguranca.org.br/anoario-brasileiro-seguranca-publica/>.

⁷⁸ Fórum Brasileiro de Segurança Pública.

⁷⁹ Gullino, D and Jussara Soares, “Damares defende combate ao feminicídio, que Bolsonaro já classificou como 'mimimi'”, *Época*, November 25, 2019

⁸⁰ Gomes, Paulo, “Brazil Registers More than 180 Rapes per Day, The Highest since 2009”, *Folha de São Paulo*, September 11, 2019.

⁸¹ Congresso Em Foco, “Crimes sexuais: a impunidade gerada por um Estado omissivo”, June 7, 2016.

black. Without the means to survive, they suffer every type of violence. [...] Our bodies, in the view of the right, were made to give birth, to care for "our" men, the sick, children and the elderly.

Bolsonaro himself is known for his misogynistic outbursts and attacks on feminism. He, for instance, infamously told a congresswoman that she was "too ugly to rape". He also once remarked "I've got five kids but on the fifth I had a moment of weakness, and it came out a woman."⁸²

While the presence of women in senior government positions at national level has been dramatically reduced since the establishment of the Temer government in 2016, female representation has been increasing in legislative and subnational executive positions. It is important to note, however, that these figures do not necessarily promote women's rights, and some are aligned with the conservative movement.⁸³ High-profile women like Damares Alves, conservative Congresswoman Joice Hasselmann and the far-right activist Sarah Winter have risen to prominence based on their vocal anti-feminism and opposition to reproductive rights.

Homophobia and transphobia

Homophobic and transphobic disinformation were a crucial part of Bolsonaro's social media-driven 2018 electoral campaign. This included the notorious case of the so-called "gay kit", where it was claimed that, if elected, the PT planned to encourage homosexuality in schools. In reality, the case referred to an educational textbook to tackle homophobia that had been promoted by the Ministry of Education back in 2011. Conservative religious groups had mobilised against it at the time, continuing efforts since the mid-2000s under the banner of the so-called "Nonpartisan School" movement to challenge alleged ideological indoctrination and the teaching of "gender ideology" in schools. As this suggests, the conservative obsession with such themes long predates Bolsonaro's presidency.

However, they have gained wider repercussions in recent years. Bolsonaro has described himself as a "proud homophobe" and once told a reporter that, "I would be

⁸² Butterworth, B, "Jair Bolsonaro: 17 quotes that explain the views of Brazil's fascist president-elect", Inews, October 29, 2018

⁸³ Patrícia Rangel, Eneida Vinhaes Dultra, and David McCoy, "De-Democratization in Brazil and the New Puzzle of Women's Political Representation," in *Democracy and Brazil: Collapse and Regression* (Routledge, 2020), 166–93, <https://doi.org/10.4324/9781003021001-13>.

unable to love a gay son. I won't be a hypocrite here: I would prefer that my son die in an accident rather than appear with a moustache. For me, he would be dead."⁸⁴

Jandyra Alves (CUT) explained to us what she believed lay behind the trend of increasingly explicit and intense forms of homophobia:

There's always been a high incidence of violence against the LGBT+ community. This didn't start now. [...] But what is different now? In my opinion there are various factors that have contributed. For example, one issue is the growth of conservatism. And not just that. We had an electoral campaign in 2018 based on fake news. Most of that fake news worked with the existing prejudices of the population towards the LGBT community [...], to incite those prejudices even more [...]. [Then] there's the huge growth in Brazil of conservative Pentecostal churches, which also stimulate this prejudice. [...] So what already existed was intensified in 2018.

Like data on femicides and police violence against black Brazilians, data on violence against LGBT+ groups can be hard to corroborate, given that only 11 out of 26 Brazilian states keep records of LGBT+ hate crimes. Even so, according to the Brazilian Forum on Public Security, violence against LGBT+ people rose by 7.7 per cent from 2018 to 2019.

Brazil remains the most violent country for transgender people in the world, with 129 murders in 2020 between January and September, according to the Trans Murder Monitoring research project.⁸⁵

Keila Simpson, President of the National Association of Transvestites and Transexuals, underscored how the far right, assisted by rising religious conservatism, has sought to normalise prejudice and violence against trans people across Brazilian society.

The extreme right preaches a naturalization of violence. It preaches the criminalization of trans people's bodies. It promotes violent and transphobic discourse against people's identities, against all LGBT people. And that is a very big threat, first to our lives and survival, then to our human rights. But the extreme right is actually fuelled by religious

⁸⁴ Butterworth, B, "Jair Bolsonaro: 17 quotes that explain the views of Brazil's fascist president-elect", Inews, October 29, 2018

⁸⁵ Oscar Lopez, "Reported Murders, Suicides of Trans People Soar in Brazil," Reuters, September 8, 2020, <https://www.reuters.com/article/us-brazil-lgbt-murders-trfn-idUSKBN25Z31O>.

fanaticism. Fanaticism in Brazil today has very deep roots in popular neighbourhoods.

In terms of political representation, the number of LGBT+ candidates and elected officials has also recently grown, though from a very low baseline. The 2020 municipal elections saw a record 502 LGBT+ candidates, 83 of whom were elected.⁸⁶ Of these, a total of 294 transgender candidates ran in the 2020 municipal elections and 30 were elected to city council seats – over three times as many victorious bids as achieved in 2016, but still a tiny number in national terms.⁸⁷

Environmental Protection and Indigenous Rights

Brazil is home to over 60 per cent of the Amazon rainforest, a unique and invaluable ecosystem that accounts for 10 per cent of the earth’s biodiversity and absorbs five per cent of all carbon emissions. The Bolsonaro government represents an existential threat to the Amazon, as well as to other key bioregions such as the Pantanal wetlands and the *Cerrado* grasslands. Experts are warning that the Amazon is close to a “tipping point”, where the rainforest’s ecosystem will be unable to support itself, leading to irreversible environmental transformation, destruction of biodiversity and a dramatic

⁸⁶ DW, “O avanço da diversidade na eleição municipal de 2020,” 17 November 2020
<https://www.dw.com/pt-br/o-avan%C3%A7o-da-diversidade-na-elei%C3%A7%C3%A3o-municipal-de-2020/a-55641506>

⁸⁷ Guilherme Fontana, “Quem são os vereadores trans eleitos em 2020,” O Globo, 20 November, 2020.
<https://g1.globo.com/politica/eleicoes/2020/noticia/2020/11/20/quem-sao-os-vereadores-trans-eleitos-em-2020.ghtml>

aggravation of the global climate threat.⁸⁸ What gains were made in environmental preservation in Brazil prior to 2016 have since been rapidly undone by the Temer and Bolsonaro governments.

Brazil's environmental crisis cannot be separated from Indigenous struggles. As Sonia Guajajara, leader of the Articulation of the Indigenous Peoples of Brazil (APIB) and 2018 Vice Presidential candidate for the Socialism and Liberty Party (PSOL), explained:

In fact, there is no separation, it is much more than just a relationship. The struggle for Indigenous rights is the environmental struggle, and vice versa. Because when environmental legislation is deregulated, Indigenous lands are also at stake. And our fight for territory is the fight for... the defence also of our bodies, of our identity, of our way of life. So we, Indigenous peoples, are unable to dissociate the environmental struggle from the Indigenous struggle. For us it is a single struggle.

The evidence would support such a claim. A 2019 UN-backed report from Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services affirmed that Indigenous peoples have a wealth of knowledge and practices that governments should draw from in developing their environmental policies. Globally, while lands controlled by Indigenous peoples face increased degradation due to climate change, those same territories saw slower rates of environmental decline.⁸⁹ According to the Lancet, "Indigenous groups hold customary control of around a quarter of the earth's surface, an area that contains around 80% of the earth's biodiversity. But national governments legally recognise only a fraction of that control." Instead, they allow rainforests to be exploited and degraded in diverse ways. In the case of Brazil, the Bolsonaro government is actively encouraging such activities, with devastating effects.⁹⁰

This Chapter details how the centuries-long struggle in Brazil for Indigenous survival and land has gained new urgency in recent years, and how this struggle has, as Guajajara explained, become inextricably intertwined with the struggle to protect the environment and prevent runaway climate change and biodiversity destruction.

The advance of the extractive frontier

⁸⁸ Editorial, "Self-Determination and Health", *The Lancet*, Vol 396, August, 2020: 361

⁸⁹ IPBES, "Nature's Dangerous Decline 'Unprecedented' Species Extinction Rates 'Accelerating'", May 6, 2019
⁹⁰ Global Witness, "Defending Tomorrow", July 2020

Brazil's Indigenous peoples have been subject to over five centuries of violent colonisation, and, despite continual resistance and important victories in winning civil and land rights, these historic patterns continue to this day. Indeed, in recent years, strategies of encroaching on Indigenous lands and rights have evolved in worrying new ways. Often with implicit state support, extractive activities, such as illegal mining and logging, along with land-grabbing for agribusiness activities, have pushed deeper into the Amazon, driving displacement and environmental destruction. While such activities are often carried out by local actors, Sonia Guajajara emphasised the role played by the federal government and Congress:

Today the main threat is [...] the Bolsonaro government itself. This alliance with big business, mining companies, agribusiness, the timber industry, which are articulated - with the parliamentary caucus in congress - to change Brazilian legislation. This economic project is toxic for Indigenous peoples.

Indeed, Bolsonaro has pledged to legalise mining in Indigenous territories, having sent a bill to Congress and held several high-profile meetings with illegal mining bosses.⁹¹ Budget cuts to the Brazilian Institute for the Environment and Sustainable Renewable Resources (IBAMA), the main environmental protection agency, and political attacks against the National Institute of Spatial Research (INPE), which monitors deforestation, have further contributed to the atmosphere of impunity. As a direct result, deforestation rates have soared in recent years.

Resisting such attacks is a dangerous business. Bolsonaro and his supporters routinely attack NGOs, claiming they invent or exaggerate environmental disasters. The President has even accused environmentalists and Indigenous people of starting the forest fires that have raged across Brazil over the last two years⁹². On the ground, Brazil is one of the most dangerous countries in the world for environmentalists. In 2019, 24 environmental activists were murdered, with 90 per cent of the killings occurring in the Amazon region. In 2018, meanwhile, 138 Indigenous people were murdered by groups encroaching on their territory.⁹³

Bolsonaro's environmental policies are fast turning Brazil into an international pariah. In August 2021, eight countries sent a letter to the Brazilian government threatening

⁹¹ Reuters Staff, "Brazil suspends raid on illegal miners in Amazon indigenous land", Reuters, August 7, 2020

⁹² BBC, "Amazon fires: President Jair Bolsonaro suggests NGOs, to blame, BBC, 21 August, 2019

⁹³ Global Witness, "Defending Tomorrow", July 2020

to cut imports if Brazil failed to adopt effective measures against deforestation.⁹⁴ Following the election of Joe Biden in the United States, Bolsonaro also faces a president in the White House that he has dismissed as “obsessed about the environment”⁹⁵. In response to criticisms of his policy towards the Amazon, Bolsonaro responded at the UN by saying it was a “fallacy” to describe the Amazon as the heritage of humanity and a “misconception” that its forests were the lungs of the world, and that his critics “called into question that which we hold as a most sacred value, our sovereignty.”⁹⁶

Meanwhile, the effects of climate change on Brazil are devastating. According to the most recent Intergovernmental Panel on Climate Change report, the Southern regions will see intense volumes of rain concentrated in only a few days, while the poorest regions of Brazil, the Amazon and Northeast, will suffer from severe droughts and extreme temperatures. This can already be seen in worsening patterns of flooding, droughts and ever more frequent wildfires.⁹⁷

Deforestation

Since 2018, deforestation has increased to historic levels. In 2020, 11,000 km² were lost, representing a twelve-year high and a 9.5 per cent increase from 2019. In the same year, the Pantanal, the world’s largest tropical wetland, lost a staggering 28 per cent of its entire wetland biome to forest fires.⁹⁸ While the fires were due in part to drought during the first part of 2020, the effects are intensified by illegal deforestation, arson by cattle ranchers, and a lack of state resources and planning to combat the fires.

Brazil’s savannah—the Cerrado Region—has been even worse hit by deforestation. While in the Amazon 70 per cent of the forest is located on public land, and rural producers are legally required to preserve 80 per cent of the forest on their properties, the *Cerrado* is largely owned by private landowners.⁹⁹ The area is Brazil’s agricultural heartland and home to the sources of three of South America’s largest river basins. It has already lost half of its natural ecosystem to cattle grazing and big money crops like soy and corn.

⁹⁴ Spring, J and Paraguassu, L, “Eight European countries urge Brazil to take action on Amazon deforestation”, Reuters, September 16, 2020

⁹⁵ <https://www.reuters.com/world/americas/brazil-president-bolsonaro-says-biden-govt-is-leftist-obsessed-with-environment-2021-08-30/>

⁹⁶ <https://www.bbc.co.uk/news/world-latin-america-49815731>

⁹⁷ The Brazilian Report, Brazil set to be devastated by climate change”, August 9, 2021

⁹⁸ Alves, R, “The Brazilian biome suffering more than the Amazon”, The Brazilian Report, July 24, 2020

⁹⁹ Alves, R, “The Brazilian biome suffering more than the Amazon”, The Brazilian Report, July 24, 2020

An area seven times larger than Greater London was lost to deforestation in Brazil between August 2019 and July 2020, most of it in states of the Amazonian and Centre West regions.¹⁰⁰ Meanwhile, in southern Brazil, by 2019 only 27.3 per cent of the original Atlantic Rain Forest still remained. Such loss of vegetation leads to heightened probability of drought, and Brazil's major population centres in these regions face a growing threat to their water supplies.¹⁰¹

According to a recent report from the NGO Global Witness, Brazil's largest beef companies, JBS, Marfrig and Minerva, have been directly linked to more than 17,000 hectares (42,000 acres) of illegal deforestation in the state of Pará alone.¹⁰² Some of the world's largest financial institutions including Deutsche Bank, Santander, Barclays, HSBC, the World Bank and BlackRock have received criticism for providing over \$9 billion in investments and loans to these companies.

Impunity as state policy

It is clear that the government is actively enabling mass deforestation by systematically defunding environmental protection agencies and dismantling oversight mechanisms.

Bolsonaro has cut the budget for operations to prevent environmental crimes by 24 per cent. As a result, the number of fines issued by IBAMA, the country's main environmental protection agency, has declined at an alarming rate. Brazil's National Indigenous Foundation (FUNAI) saw its budget cut by 40 per cent in 2020 alone.¹⁰³ The Ministry of the Environment also stands accused of deliberately underspending its budget. According to Rodrigo Agostinho, leader of the environmental caucus in Congress, "the latest cuts threatened to completely paralyse environmental agencies."¹⁰⁴

Bolsonaro has also intervened directly to undermine oversight mechanisms. After taking office, he dismissed 21 of the 27 regional IBAMA supervisors, replacing them mostly with military police officers. Bolsonaro has repeatedly attacked the National Institute for Spatial Research (INPE), claiming their monthly data "did not match reality", and even fired the Institute's director. As key environmental institutions have been attacked, the armed forces have taken a more central role in environmental policy, in the Amazon region in particular. Vice President and ex-general Hamilton

¹⁰⁰ Mongabay, "Amazon deforestation tops 11,000 sq km in Brazil, reaching 12-year high", Mongabay, November 30, 2020

¹⁰¹ Zanon, S, "Deforestation in the Amazon is drying up the rest of Brazil: Report", Mongabay, August 7, 2020

¹⁰² Global Witness, "Beef, Banks and the Brazilian Amazon", December 2020

¹⁰³ <https://www.vox.com/world/21273709/brazil-coronavirus-indigenous-people-covid-19-amazonas>

¹⁰⁴ <https://www.theguardian.com/world/2021/apr/24/bolsonaro-slashes-brazils-environment-budget-day-after-climate-talks-pledge>

Mourão has been tasked with leading the investigation of environmental crimes through the recently established Amazon Council. CENSIPAM, the Defence Ministry's Management and Operational Centre for the Amazon Protection System, meanwhile, is responsible for enforcement. According to reports, the military's efforts at tackling deforestation have been characterized by disorganisation, incompetence, and even wilful negligence.¹⁰⁵

According to academic João Roberto Martins Filho, an expert on the Brazilian armed forces, the military traditionally sees itself as the "protectors of the Amazon" against the enemies of the nation, and "with the arrival of Bolsonaro [in 2019] to the presidency, military men trained in the 1960s and 1970s came to power with the vision that the Amazon needs to be exploited. They see the region as a mineral resource to be extracted, rivers to generate hydroelectricity, forests to become timber, and soil to be transformed into pasture, soy or any other export crop."¹⁰⁶ Echoing such a vision, Bolsonaro has claimed on numerous occasions that environmental protection agencies are standing in the way of the country's development.

Indigenous rights

This extractivist orientation towards the Amazon and other environmentally significant regions is a key driver of historic violence against Indigenous groups and environmentalists in Brazil. The National Truth Commission Report estimated that the Brazilian army killed at least 8,350 Indigenous people during the military dictatorship¹⁰⁷, while untold thousands were forced off their lands, tortured or enslaved. Martins Filho adds that "the military sees the Indigenous as a threat to Brazilian sovereignty". They fear that "their territories, with [the] help of the international community, could one day become independent. This is madness of course, but it is what they believe until this very day."¹⁰⁸

Bolsonaro has never hidden his hostility towards Brazil's Indigenous communities, adopting a discourse that, according to Sonia Guajajara, "fomenta a hate campaign [...] which ends up inciting practices of racism and actual violence". She told us that his government's discourse has persuaded parts of Brazilian society to believe that "Indigenous territories [are] unproductive areas and need to be taken away from the Indigenous peoples to serve the economy."

¹⁰⁵ McCoy, T, "Bolsonaro sent soldiers to the Amazon to curb deforestation. Here's how the effort failed.", *The Washington Post*, January 8, 2021

¹⁰⁶ Speetjans, P, "Long entrenched Brazilian military mindset is key to Amazon policy: Expert", *Mongabay*, 26 October, 2020

¹⁰⁷ Watts, J and Roch, , "Brazil's 'lost report' into genocide surfaces after 40 years", *The Guardian*, 29 May, 2013

¹⁰⁸ *Ibid*

Indeed, one of Bolsonaro's campaign promises was to assimilate Indigenous Brazilians by allowing large-scale farming and commercial mining on reservations. Illegal miners and loggers who invade Indigenous reservations are some of the government's most fervent supporters. In response to this agenda, two human rights organisations have reported Bolsonaro to the International Criminal Court for genocide against Brazil's Indigenous population.¹⁰⁹ The government has also sought to limit Indigenous territorial claims to lands occupied in 1988, the year the constitution went into effect, thereby effectively legitimizing the past 500 years of colonisation and facilitating present and future land grabs by the agribusiness sector.

The arrival of Covid-19 in Brazil has been seen by the government as an opportunity to carry out its plans on Indigenous lands - both by allowing the virus to decimate vulnerable indigenous communities and by distracting the media and international community from government sanctioned land-grabs. Brazil's Supreme Court has ruled that the Bolsonaro government failed to protect Indigenous communities from the pandemic, instructing the government to put in place an emergency plan to protect these communities and remove invaders from their territories. However, the government simply refused to issue such a plan and FUNAI underspent funds allocated to it to protect Indigenous communities from Covid-19.¹¹⁰ As many have noted, the spread of Covid-19 to Indigenous territories mirrors the devastating history of disease that ravaged the native populations of the Americas¹¹¹.

¹⁰⁹ "Brazil Indigenous group sues Bolsonaro at ICC for 'genocide'", Al Jazeera, August 9, 2021

¹¹⁰ Reuters, 'Dispute over COVID-19 deaths pits indigenous Brazilians against gov't', 6 May 2021.

¹¹¹ Wenzel, F, "Bolsonaro evades genocide blame amid Indigenous deaths by invaders, Covid 19", *Mongabay*, 25 October, 2021

Conclusion

Bolsonaro shows what can happen when a far-right leader is able to take power. While, as we have shown, the situation in Brazil grew from specific circumstances and conditions, there is also a universal truth: in power, such leaders attack workers' rights, and draw on racist, sexist, homophobic and transphobic rhetoric to support their cause, with devastating consequences for working people.

Bolsonaro's rise to power in 2018 was one of the most significant moments in the spread of the global far-right that swept the world during the 2010s. Bolsonaro was perhaps the most right-wing president ever elected in a major democracy, and, despite his extremism, he could count on having like-minded or similarly authoritarian leaders across the world: most notably, Donald Trump in the US, but also in Colombia, Hungary, Poland, and Turkey.

However, the victory of the far-right is not inevitable. Following years of economic crisis, the region has seen a series of left-wing victories, including Argentina, Bolivia, Mexico and Peru. It has also seen a recent upsurge in mobilisation and protest, with trade unions at its heart. In Chile, huge street protests led to a referendum on replacing the country's own dictatorship-era constitution, with a resounding yes vote. Colombia has witnessed unprecedented mass demonstrations in recent months, which have brought huge numbers of people on to the streets despite a brutal and violent police response¹¹². The return of Lula to the political scene and Bolsonaro's declining popularity raises hopes that if there is a free and fair election in 2022, the far right could fall from power. The continued electoral strength of the PT, and the resurgence of the Latin American left in general, is indicative of three significant developments. Firstly, the Latin American right, with its commitment to neoliberal economic policy, often imposed alongside violence, has proved unable to either grow its popular support, or, crucially, to govern during a public health crisis. Secondly, despite a number of challenges including the use of lawfare, the left has been able to maintain a large part of its political base and still offers an alternative for the working peoples of the region. Finally, trade union and wider civil society have been capable of mobilising and resisting the onslaught against rights.

If Bolsonaro was elected at a time when the energy was on the political right, the current context is more uncertain. Bolsonaro placed great weight on his relationship with Donald Trump and instead of trying to forge ties with new US president Joe Biden, he has gone out of his way to antagonise him. He echoed Trump's claims that the 2020

¹¹² <https://www.tuc.org.uk/research-analysis/reports/tuc-briefing-uk-andean-trade-agreement>

election was fraudulent, and his sons and prominent backers openly supported the January 6 Capitol invasion.¹¹³ They have subsequently even attempted to mimic it with large demonstrations against the Supreme Court on 7 September 2021, Brazilian Independence Day. They are likely to make further attempts to destabilise and undermine Brazilian democracy as the November 2022 election approaches.

Precisely because of Bolsonaro's declining political fortunes, there is a real risk of a military coup in Brazil. As explained earlier in this report, elements within the military and military police, have on numerous occasions indicated they may intervene to directly take power or prevent next year's election from being free and fair. Bolsonaro has consistently made it clear he would try, if possible, to return the country to military rule. All democratic forces in Brazil and internationally should pay close attention to developments and be prepared to mobilise if necessary.

However, even if Bolsonaro is vanquished in next year's election, it does not mean the political project he represents will die. Many of its elected officials will remain in office—including Bolsonaro's sons—and its social base will persist. And they can rely on the growing internationalisation of the far right, in terms of mobilisation, shared narratives, targets, strategies, organisational networks and financing.¹¹⁴

The question also remains whether the military will return to the barracks now it has, once again, had a taste of political power. The damage done by the Bolsonaro government may take a generation to fix. If they are returned to power, the PT and Lula will again need the solidarity of the international workers' movement to undertake this monumental project.

Part of this story is testament to the strength and resilience of progressive social forces in Brazil. Despite facing active opposition from the federal government, Brazil's public health service has made remarkable progress with the country's Covid-19 vaccination campaign. Trade unions, social movements and progressive parties have continued to fight in the face of political persecution and violence. Brazil's diverse working class has kept hope alive through one of the darkest periods in the country's history. With the help of international solidarity for unions and their allies and global pressure to respect the outcome of the vote, Brazil may be free to remove its authoritarian leader via the ballot box next year and begin the huge task of rebuilding democracy and constructing a new project of social, economic and environmental justice.

¹¹³ Associated Press, "Brazil's Bolsonaro alleges fraud in US presidential Election", November 29, 2020

¹¹⁴ <https://www.tuc.org.uk/TheRiseoftheFarRight>

Recommended Areas for Action

Recommendations for Government

- There must be a moratorium on all trade talks with Brazil while the Bolsonaro government is failing to respect international labour and human rights standards and environmental protections. The policies of the Bolsonaro government must not be legitimised by signing a trade agreement with the UK. France, for example, has consistently opposed a trade deal with Brazil.

It is vitally important that trade agreements contain effective mechanisms to enforce labour and human rights, and environmental protections.

The positive remarks about ‘the environment for exporters should improve under the new government of Jair Bolsonaro’ must be immediately removed from the [UK Government exporting guide to Brazil](#). This should be replaced with a warning to business that human rights violations might be present in their value chain if they invest in Brazil. The guide should also encourage Human Rights Due Diligence for businesses trading with Brazil.

- Include scrutiny of Brazil in the annual Foreign, Commonwealth & Development Office Human Rights & Democracy Report. The 2021 version, despite the abuses this report has catalogued, contains only one mention of Brazil – in the context of a FCDO project to protect prisoners from Covid-19.
- Engage with trade unions in the UK and Brazil on any trade talks with Brazil
- Raise concerns about labour rights violations, human rights abuses and environmental destruction through all appropriate channels, including instructing the British Embassy in Brazil to engage with civil society organisations to monitor breaches.
- Support investigations of Brazil’s breaches of ILO Conventions at the ILO Conference Committee on the Application of Standards.
- Make a clear statement supporting the need for democratic process to be respected and for free and fair elections to take place next year in Brazil.

Recommendations for Parliamentarians: Raising the profile of human rights in Brazil

Parliamentarians have a crucial role to play in raising the profile of the alarming situation in Brazil, including calling the Brazilian government to account on violations of its international labour, human rights and environmental obligations and maintaining pressure on the UK government to raise concerns.

- Raise concerns about the labour rights and human rights abuses taking place in Brazil using the relevant mechanisms available to them in parliament
- Oppose a trade deal with Brazil while it is failing to respect international labour and human rights standards and environmental protections. Engage with Brazilian civil society by forging links with representative organisations, including trade unions and other civil society organisations
- Support the sending of observers for the 2022 election process and publicly call for a free and fair democratic process

Recommendations for Trade Unions: Make Brazil a priority country for international solidarity work

- The trade union movement's internationalist orientation has a vital role to play in regards to Brazil. Use trade union structures and influence to raise the profile of the situation facing Brazilian workers in the trade union movement. Build fraternal links with Brazilian trade unions and seek opportunities to build solidarity work
- Build fraternal links with Brazilian trade unions on a sectoral basis
- Inform members about the prospect of a UK-Brazil trade deal and encourage them to raise concerns about this with their local MP
- Encourage unions with membership in companies that invest in Brazil to raise concerns about the situation through the appropriate structures
- Build alliances with NGOs and civil society organisations working to counter Bolsonaro's policies
- Build coordinated trade union work to counter the influence of the far right in Brazil and around the world.

Recommendations for Business: Conduct human rights due diligence

By being outspoken on human rights, British business can exercise important influence on both the Brazilian government, which seeks to legitimise itself through foreign investment and trade, as well as on the UK government.

- Follow the United Nations Guiding Principles on Business and Human Rights, conducting additional human rights due diligence across value chains linked to Brazil
- Follow the Ethical Trading Initiative Base Code, which draws on fundamental ILO conventions
- Investigate areas of the supply chain that may be involved with environmental destruction in the Amazon
- Engage with Brazilian trade unions to investigate areas of the supply chain where labour casualisation means that freedom of association and basic trade union rights are not being respected
- Speak out confidently against hate speech and discriminatory practices.

