

The Crisis and the Political Reality

LUIZ WERNECK VIANNA (INTERVIEW)

THE POLITICAL SCIENTIST Luiz Werneck Vianna was interviewed by the executive editor of *Estudos Avançados*, journalist Marco Antonio Coelho, when he spoke about the crisis in the Congress. The interview was held on August 21, 2009, at the University Research Institute of Rio de Janeiro (IUPERJ).

In addition to analyzing the causes of the impasse in the Brazilian Parliament, Luiz Werneck Vianna gave his opinion on various political issues. He commented on several burning issues, such as the performance of president Lula, whom he described as a great negotiator that monopolizes Brazil's political world. He also emphasized the waning of the Workers' Party (PT), the judicialization of politics, the prospects of the 2010 presidential election, and predicted what will happen when Lula leaves the presidency. He stressed that the media, the Federal Police and the Federal Prosecutor's Office are now an explosive presence in Brazil's political milieu.

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ESTUDOS AVANÇADOS — *What is your analysis of the crisis of the Congress?*

Luiz Werneck Vianna — More than a crisis of the Congress, this is a broader crisis of political representation in Brazil, brought about by the permissive situation that dominated the mid-1980s, after the end of the dictatorial regime. It was expected that, over time, one would see a sedimentation, a definition, a more tangible relationship between the "political class" (a category that can be said to exist only through poetic license), the population and politically active citizens.

Sedimentation did not take place as anticipated and we now have a system that consists of a multitude of party groups, which is not conducive to establishing a solid and stable relationship between representatives (the parliamentarians) and those they represent (the electorate).

This is a fact that must not be obscured. Even though the issue has been repeatedly examined by researchers of Brazilian politics, there is no minimum

consensus on how to carry out a true political reform in the country: a reform capable of creating new grounds, whereby parliamentarians speak upward less, seek less from the Executive branch, and attempt to establish stable and permanent relationship with civil society.

Actually, we are experiencing a type of logic whereby the chief concern of the “political class” is its own reproduction. In that sense, it’s essential for this class to have access to the governmental sphere, that is to say, the administration, which controls the resources and the funding of public works that might interest the constituency of the representatives, who fundamentally seek their own perpetuation.

This is a global phenomenon, to be sure, but this does not remedy its negative effects among us. Much is said about this issue in France and in the major developed countries of the West, where democracy should be “mature” by now. In Brazil, however, the process has reached a level of paroxysm, especially after the introduction of a political arrangement known as “coalition presidentialism.”

We’ve witnessed the impeachment of Collor in the recent past, a president who tried to govern without a majority in Congress. Since then, the fundamental strategy of the presidents who succeeded him has been to create a coalition of various parties to obtain support from Congress. Although this power is weak and chronically in crisis, the Executive, which is strong and powerful, rightly assesses that it is impossible to govern without a trustworthy congressional majority. Therefore, it is forced to forgo important aspects of the program that enabled its election, aspects that are not consensual among the parties that will constitute its parliamentary base.

ESTUDOS AVANÇADOS — How did Lula obtain parliamentary support for his government?

Luiz Werneck Vianna — Lula’s administration was keenly aware of the risks of this parliamentary frailty. At first, it sought an institutional path that seemed quite promising. He organized the Council of Economic and Social Development, whose members included various societal and corporate delegates: businesspeople, workers, different types of professionals, and so on.

The idea was to create a place where opinions could be put forth, strengthened by the legitimacy of the assembly from which they emerged, and taken to Parliament with these credentials. At that time, it was even feared that this Council might become a cabal, a shortcut that would leave the Legislature somewhat powerless. The Council did not take on this role, however, and had sparse results in terms of forming public opinion and bearing upon the views of Congress.

This happened because the Executive itself created mechanisms that facilitated access to congressional life (i.e., that made it easier to mobilize the parties). These mechanisms were not necessarily consistent with Lula’s original program, but assured political support for the government. Political support was further guaranteed by opening up and selling out the machine of government to serve the interests of party delegates. A veritable market was created – politics itself became a marketplace –, as attested by the so-called “mensalão” episode¹.

The arena of political support became a business exchange, as the parties and their parliamentary representatives began to receive institutionalized stipends to guarantee congressional support for the administration.

The administration's struggle to consolidate its power in face of the disruption of congressional life was no small thing. From Fernando Henrique Cardoso to Lula, the Executive branch has been acting in accordance with the logic of such a system, with the strict political logic of such a system. It strives to capture sectors with little expression in Brazilian political life in an attempt to establish a majority, and it does so with a grammar that is more business-driven than politically inspired.

This exposure was dangerous, as the "mensalão" episode demonstrated, a negative experience that in Lula's second term has meant the abandonment of a retail for a wholesale policy – that is, a coalition with the main political party in Brazil, the Brazilian Democratic Movement Party (PMDB).

[This has meant] opening up the various levels of government to the interests of the dignitaries of that party, who, in each region, seek to assure their own perpetuation, constituencies and votes. This is a policy dominated by the fragmentary interests of regions and micro-regions. The administration should be able to design the country's larger political reality, even while respecting the limits imposed by the nature of political coalitions.

With the latter-day radicalization of these trends, and apparently not satisfied with providing second-tier positions in his administration, Lula invited everyone into the government: agrarian capitalism and its nemesis, the Landless Movement (MST); the big industrialists and financiers; and workers. (Labor unions have a greater presence in the Lula government than at any other time of the Brazilian Republic, including Getúlio Vargas' tenure.)

By means of this practice, he established a parallel Parliament inside the government, indulging and arbitrating the various conflicting interests that arise in society. In this sense, the so-called reforms – fiscal, political, labor, union – are not processed within society or in its most important stage set, Congress. The main arena is internal, i.e., the government itself.

Under the arbitration of the president, who makes decisions regarding conflicting interests, this framework has given the Brazilian Executive a disproportionately large role. Furthermore, through different institutions and procedures, Lula has not only attenuated the strength of Parliament but has also arrogated to himself the right to promote his interests inside the Congress walls.

The crisis of the presidency of the Senate bears witness to this fact. Senator Sarney's main defense system was outside Congress, under the control of the president. The crisis had everything to threaten the government's power base, including members of its party, with future obstacles in their electoral battles. This fact became clear in the incident with senator Aloysio Mercadante.

The discussion of a project and a guiding principle for Brazil, an essential matter, has no place in Parliament. In turn, the society feels entirely displaced from

politics, which it sees as a kind of circus ring where parliamentarians stage their comedy of errors in everyone's sight.

Many things can happen in these circumstances, such as the incident with the Receita Federal [Brazil's IRS]. The head of the IRS, a Workers' Party militant indicated by a union of party members, took office and immediately replaced all the men appointed by the previous administration. Her actions and those of the trade unionists associated with the Workers' Party engendered a deep crisis that ultimately tarnished the government, whose best defense came from Everardo Maciel, former head of the same agency during the previous administration (under the Brazilian Social Democratic Party – PSDB), who criticized the conduct of the by-then demoted and deposed Workers' Party head of the Receita Federal.

A comedy of errors resulted from this inarticulacy between the Executive, the other branches, society and the government bureaucracy itself. It should be said in passing that the Receita Federal and Federal Police affairs are signs that politics no longer controls or exercises control over the bureaucracy, which is increasingly tending to act autonomously.

Lula Has Monopolized Politics

Politics has now become the exclusive, monopolistic domain of Mr. Luiz Inácio Lula da Silva. He and his inner group have a program, a project that includes notoriously relevant issues – e.g., the great national question, social justice, the development of the forces of material production – but this is flung down top-to-bottom on organized and non-organized society (political parties and parliamentarians included).

This is clearly decisionism by the Executive, which has instruments capable of reducing others to impotence and into submission, even if only because this same Executive is identified with policies that have broad social impact, such as the Bolsa Família program, a higher minimum wage and, now, an overhauling of retirement pensions.

The Executive enjoys enormous prestige among most of the people, especially those that have had no traditional relationship with public life and the political parties – a disorganized population that is the reverse face of the process mentioned earlier, namely, the fact that the Executive has resources to either promote or hinder the reproduction of the “political class”, and can also count on a genuine, authentic support from the masses on account of its public policies.

The 2010 Electoral Outlook

ESTUDOS AVANÇADOS — *Will the political crisis have consequences on next year's election?*

Luiz Werneck Vianna — It is already having. Senator Marina Silva leaving the Workers' Party (PT) and joining the Green Party (PV) is more than the mere transfer of a congresswoman. It is the departure of a flagship character with more

than national significance and relevance, inasmuch as it now affects the international sphere. It was not a fact with limited scope because it will change party structures in Brazil. And change them for the better. In the wake of Marina's decision, there is now even talk of the possibility of Ciro Gomes becoming a candidate for a "minialliance" between the Brazilian Socialist Party (PSB), the Communist Party of Brazil (PC do B) and other associations. I don't know whether these arrangements will take hold or not.

Regardless, all this commotion results in a certain political vitality, especially because, no matter what the outcome of the 2010 election, we can already see on the horizon that Lula will no longer be the major operative figure. This is no trivial development, even if his candidate, Dilma Rousseff, wins.

Dilma Rousseff does not have the personal credentials to manage the inventory Lula will leave behind. For the bulk of the population, she lacks charisma and does not have the right profile to face the contradictions of great conflicting interests. Her political identity is clearer than Lula's, however, who since his earliest trade union days was and has always been a masterful negotiator.

As time passes, everything seems to indicate that when the great operator retires to his own personal São Borja², São Bernardo, the game will become more fluid, especially because the incumbent party, the Workers' Party, lost strength during the two mandates of its president. The party is now weaker, more disoriented, more inarticulate.

In addition, the PT has not found its way amidst the ongoing political and ideological homogenization and no new powerful leaderships have emerged. The great PT leaders, such as a Genoíno and José Dirceu, are far from enjoying their former glory. Palocci may return, but not as strong as before. What cadres has the PT developed over these eight years? Its members are mere operative cogs of a bureaucracy. The party's current president, Berzoini, is one of those cogs, a man with no inner light, someone who is driven, not a driver.

The scenario without Lula will be more constructive than the one we had with him. If with Lula we had eight years of peace, on the other hand the opposition was reduced to impotence and Congress was dragged into the sphere of influence of the Executive, which immobilized the lowly sectors of society through its social welfare policies and its programs of symbolic integration.

The president has always asserted his humble origins and does so with tremendous authenticity. With Rousseff or Serra, who have more or less well-defined projects, conflicts will increase because we will no longer be acting in the scenario created by Lula, who prevented conflicts from going out of the palace chambers and into the streets. Lula was the great arbitrator of conflicts.

One Possible Policy Reform and Parliamentarism

ESTUDOS AVANÇADOS — Considering this future, do you believe these impacts will increase or will we move toward solutions for many problems if a political reform is implemented? How do you see this political reform?

Luiz Werneck Vianna — I don't know what it would look like, because there is no ideal political reform. Countries have found their party system and their form of political representation by trial and error. Take France, for instance: how many attempts were there until 1958 and De Gaulle! Yet the system has worked well since then. Political reform is not based on the work of a sage who, after consulting all the laws of the world, finally discovers the best political reform for one country. Things are not like that. Political reform emerges from the heat of political struggle. One system excludes certain sectors, another maintains the representation of majority sectors... Everything depends on the type of political struggle. For me, the key is understanding that mandates belong to the political parties, not to the parliamentarians. Any reform that does not advance in this direction is doomed to frustration, because it will reiterate what we already have.

ESTUDOS AVANÇADOS — *Would you favor pure district voting or a mixed system?*

Luiz Werneck Vianna — I would welcome a combination of the majority and proportional systems, that is, a mixed system. Another issue that I also find absolutely essential, related to this one, is the public funding of election campaigns in order to decontaminate elections from money.

ESTUDOS AVANÇADOS — *Until recently, parliamentarism was a presentable option. Isn't it time to revive the movement in favor of parliamentarism?*

Luiz Werneck Vianna — No. Certain things would have to be done first: better organized public spheres, and more robust parties, for instance. The large mass of the population would now see parliamentarianism as a loss of power, because they seem themselves represented by the president. The presidency is the masses' venue of representation. Furthermore, we should not forget our imperial tradition...

Morality and the Struggle against Corruption

ESTUDOS AVANÇADOS — *Apparently, the political crisis that emerged and remained in the headlines originated from charges of corruption. It was not caused by any issue pertaining to the economy. Doesn't this fact show that corruption calls have a decisive influence on political life? I remember that when Getúlio Vargas committed suicide in 1954, what triggered the crisis was the problem of governmental corruption. How do you analyze the matter of public morality in the Brazilian political process?*

Luiz Werneck Vianna — I'd like to counter common sense and warn of the dangers of penalizing the Republic and turning the penal code into one of the prime tools of the Brazilian Republic. This understanding is also responsible for converting the political arena into a huge judicial arena. I think the media is the main player here, especially through its line of investigative journalism. The media, the Federal Police and the Federal Prosecutor's Office now work together and have become an explosive presence in Brazil. It is not an uncommon perception that some of the most glaring, notorious and dramatic cases derive from the articulation of these three institutions — the media, the Federal Police and the Federal Prosecutor's Office.

Their alleged purpose might be an attempt to bring morality into public

life and the creation of republican virtues. These endeavors are no longer a matter for political parties and organized society and have become issues for State corporations and the media, which are not subject to any mechanisms of societal control. I understand that the rational-legal order and the issue of public morality are fundamental questions that should be safeguarded and developed. But I do not think they should become the monopoly of a corporation or of a media that is accountable to no one except itself.

It should be noted that despite the notoriety of recent scandals, society was not mobilized. It was not moved politically, unlike what happened during Collor's impeachment. These are all signs of changes in behavior and attitude. I think that from now on, the Chamber of Deputies and the Senate will manage their internal affairs differently.

Modern Brazil Must Accept Backwardness

ESTUDOS AVANÇADOS — *Public opinion did not mobilize over the Senate's problems. Could this result from the fact that Collor became president without grassroots support and without taking steps to benefit the masses, while Lula's conduct was altogether different?*

Luiz Werneck Vianna — I fully agree. But if the majority of people were truly sensitive to this issue, they would have already tuned in to this crisis, to the scandal in the Senate. But they did not, and I do not think they ever will.

I would call your attention to another issue that needs to be analyzed, namely, the fact that the administrations of Fernando Henrique and Lula are expressions of modernity, of modern concerns of São Paulo – or, at least, of the most innovative sector. But there are other countries in Brazil, such as the North, which is somewhat unruly, with a new capitalism, new entrepreneurial heroes, many of them from lowly sectors of society, especially soybean plantations, one of the frontiers of Brazilian capitalism. This frontier is energetic, has a thriving business life, has yet to be baptized by civilization, has yet to acquire the veneration of civilization. It is appetitive and passionate about its own interests and has yet to learn what it means to live in a Republic.

ESTUDOS AVANÇADOS — *At the same time, however, this sector has a very large political representation, beginning with its presence in the Senate.*

Luiz Werneck Vianna — I know and that's where the problem lies. This sector, not only for its weight on the country's social and economic life, but also for its political representation, has to be taken into account, despite the mortgage of backwardness it embodies. Isn't it so? Modernity has been forced to incorporate backwardness in order to stabilize the government, to stabilize its power. This was done by Fernando Henrique Cardoso, is being done by Lula, but one must be careful not to overreach.

ESTUDOS AVANÇADOS — *The influence in the Senate of leaderships from [the Northern states of] Roraima, Rondônia, Amapá and even Maranhão is quite significant, isn't it?*

Luiz Werneck Vianna — Yes, it is. And the Executive is obliged to take it into account. That is, it must govern guided not only by the modern sectors of Brazil, but also by the patrimonialist tradition (as much as I dislike this term) of these victorious sectors from the hinterlands – capitalist heroes with their particular brand of nepotism, personal authoritarianism and the like –, involving them in the development of social policies and even in determining the form of the State.

The Judicialization of Politics

ESTUDOS AVANÇADOS — *How do you analyze the intervention of the Judiciary in matters of the Legislative branch? Some consider this a positive development. Others recall the classic statement of principle of the three branches of government and find this type of intrusion absurd. Is this type of meddling here to stay?*

Luiz Werneck Vianna — It has come to stay. The clearest and most anecdotal example is the attitude of the Party of Socialism and Liberty (PSOL), which requested the Supreme Court (STF) to revoke the closure of the debate, by the Senate's Ethics Committee, on the expostulations against Sarney. An act such as this practically demands that the Judiciary interfere in the internal affairs of the Legislature and alter a decision made by a parliamentary majority. A stronger indicator of this trend I do not know. It is worth noting that the PSOL is a radicalized leftist party, so to speak.

This approach leads to the judicialization of politics, a worldwide phenomenon, although restricted to democratic countries. Countries with authoritarian political regimes do not face the judicialization of politics.

Moreover, underlying every projection of the Judiciary's influence on society and on politics is the Legislative branch, because it ensures, unveils and opens up the frontiers of the Judiciary's new role. I will give some examples: the direct legal action of unconstitutionality before the Supreme Court, the civil class actions, are all instruments created by legislator through which society can mobilize the Judiciary to produce certain results in political life.

It is as if the Legislative understood its impotence in face of the contemporary scene and created institutions and mechanisms to allow society to defend itself from the State and from business corporations: consumer rights, urban statutes, laws to protect senior citizens, children, and women (such as the Maria da Penha Law), among others. The creation of the European Union is perhaps the best demonstration of this fact. The European Union remains to this day without a political constitution and, in large measure, was created through the mediation of Law and its institutions.

We also have supranational laws and courts that now interfere in the life of nation-States. Not to mention the creation of new world institutions, such as International Criminal Court, to punish genocides and war crimes beyond the borders of nation-States.

The presence of Law in politics and in contemporary life is an indissoluble reality, and we should not obscure the interesting elements that underlie it. New

arenas for democratic life outside political representation in the world of functional representation are emerging, for instance, because the Judiciary is part of the world of functional representation. New possibilities are also emerging with the increasingly independent means of access to justice and the increasingly facilitated mechanisms (such as civil class actions) that enable society to participate in the development of laws. This is an ongoing, operative phenomenon.

ESTUDOS AVANÇADOS — *Isn't the slight modernization of Justice in Brazil already visible, including the creation of special courts and several other initiatives? At the same time, however, the actions of Congress in Brasilia resemble those of an ineffective mastodon.*

Luiz Werneck Vianna — We have a very powerful Executive and an increasingly powerful Judiciary. The palaces of the Judiciary in Brasília are daunting, monumental and always expanding, with new annexes for this and that. The Legislative, representing the quintessential popular sovereignty, is dwindling. This is the current situation.

I would say that the Executive has acted in such a way as to benefit from inarticulacy and dysfunctions of the Legislative branch, which seems irresponsive and confined to the logic of its demands for self-reproduction. Thus, the Executive finds enough grazing ground to advance its politics and dominate the public sphere. This is what is happening among us. Great politics has no place in the congressional scene, only in the Executive. Yet, is this inevitable? No, it isn't, but we have a tradition, a powerful history of pork barrel incentives that inhibits the development of a strong collective will.

The Experience of Rio's Favelas

Marco Antonio, I'll give you an example of an issue that has always been a reference for me – the shantytowns of Rio de Janeiro. Over the last 50 years, they did not strengthen their community-mindedness and were unable project themselves into the public sphere, but nevertheless carried out their entire agenda (water, gas, soil) without imposing it on society through autonomous political actions.

Why has the government recently prioritized the slums in Rio de Janeiro as a central issue? Because of the violence. Not because anyone wishes the favelas to organize themselves. Social programs are delivered from above and do not arouse the spirit of citizenship.

In this fashion, no political leaderships emerge. And it cannot be said that the results have not been effective; on the contrary, they could not have been more effective. I have never witnessed any kind of civic struggle in the favela of which we are neighbors here at Iuperj. But an elevator was installed there, the houses were painted and so on. Iuperj is a center of social sciences. The slum is there, right beside us, but there is no communication between us. How does life go on? How does this world live? Is there any political action? Yes, of what kind? The pork barrel kind.

Violence led the shantytowns to cease being a local phenomenon and take on a central role in the life of Brazilian cities, especially in Rio de Janeiro, mobilizing

the federal government and major business groups. The Atlântica Group is doing a type of social work in the Pavão-Pavãozinho favela that seems to me a very effective approach to the problem of urban land usage and the collective easement by prescription of real estate.

ESTUDOS AVANÇADOS — *I worked in Rio de Janeiro 30 years ago and at that time the labor unions had a very strong movement. What is happening now?*

Luiz Werneck Vianna — Unionism is strong, but is completely dominated by the apex, the leadership, because unions are just another player brought into the machine of the State. Paulo Pereira da Silva [a labor leader and federal deputy] hovers in the Brazilian public sphere as a major player. And indeed he is. But society is completely demobilized in terms of its access to public life. It is retracted, which does not mean that its interests are not considered. Paulo Pereira da Silva is working on behalf of everyone to assure that retirement pensions are this or that, that workdays are this or that, even though the unions have been emptied. The entire process is also derived from this asymmetry between the apex of the State and society, because everything is controlled from above. Such is the disruptive nature of the Brazilian tradition.

ESTUDOS AVANÇADOS — *This is also not a strictly national phenomenon and, according to the media, the same occurs in Italy, France, England, countries that had a long tradition of unionized association and struggle.*

Luiz Werneck Vianna — French unions have not lost their claws. Once in a while, at least once a year, they show up – although, it is true, without their former vigor. [In Brazil], this period has been a period of losses; let us think about it this way. Especially in the political realm, where society has been infantilized by the paternalistic and tutelary style of the Lula administration. But there have been evident gains in the economy, in social issues, in the role of Brazil in the international scene. For me, with the end of Lula's mandate, a new opportunity arises for society to rethink its political and social organizations. Among the good things that the Lula administration will bequeath us, one – of no small importance – was his relinquishing the claim to a third term, ensuring the democratic principle of the alternation of power.

Notes

- 1 Monthly allowances allegedly paid to congresspersons allied with the Lula administration in exchange for political support in Congress. The scheme was denounced on June 6, 2005.
- 2 São Borja: reference to the city that sheltered former dictator Getúlio Vargas in his self-imposed exile. While there, he was sought by politicians to return to political life and was eventually elected president in 1950.

Translated by Carlos Malferrari. The original in Portuguese is available at http://www.scielo.br/scielo.php?script=sci_issuetoc&pid=0103-401420090002&lng=pt&nrm=iso.