



# FREEDOM HOUSE

## Freedom in the World - Brazil (2010)

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Capital:  
Brasilia

Population:  
191,481,000

Political Rights Score: 2 \*

Civil Liberties Score: 2 \*

Status: Free

[Overview](#)

**President Luiz Inacio “Lula” da Silva unveiled plans for social spending and increased state control over the oil sector in 2009 as he sought to bolster popular support for his chosen successor ahead of the 2010 presidential election. Criminal violence remained an immense problem in Brazil’s major cities during the year, and official corruption continued to stoke political debate.**

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After gaining independence from Portugal in 1822, Brazil retained a monarchical system until a republic was established in 1889. Democratic governance was interrupted by long periods of authoritarian rule, and the last military regime gave way to an elected civilian government in 1985. However, Brazil’s democracy has been marred by frequent corruption scandals. One scandal eventually led Congress to impeach President Fernando Collor de Mello in 1992.

Brazilian Social Democracy Party (PSDB) leader Fernando Henrique Cardoso—a market-oriented, centrist finance minister—was elected president in 1994, and he subsequently oversaw a highly successful currency-stabilization program that included fiscal reform, privatization of state enterprises, and a new currency pegged to the U.S. dollar. He also ushered in a new era of dialogue with international human rights and good-governance groups. In 1998, Cardoso handily won a second term in a rematch against his 1994 opponent, former labor leader and political prisoner Luiz Inacio “Lula” da Silva of the left-leaning Workers’ Party (PT).

Da Silva finally won the presidency in 2002, promising to maintain orthodox economic policies while initiating meaningful social-welfare programs. These included “Bolsa Familia,” a cash-transfer program that benefited approximately one-fourth of the population, and “ProUni,” a fund providing low-income students with scholarships to private colleges.

Da Silva was reelected by a comfortable margin in the October 2006 presidential runoff, drawing on his popularity among working-class voters. Despite the fact that the legislature was widely seen as the most corrupt in the country’s history, the PT did not suffer losses in the concurrent congressional elections.

In August 2007, the government released a report outlining the fate of political dissidents who were “disappeared” by the military between 1961 and 1988. Unlike in other Latin American countries with recent histories of military rule, former officials in Brazil remained protected by a 1979 amnesty law, and none had faced charges for human rights violations. In response to increasing pressure from victims’ families, however, da Silva in October 2009 announced plans to create a truth commission to investigate crimes committed during the military regime. The exact mandate and powers of the proposed panel remained unclear at year’s end.

In municipal elections held in October 2008, the ruling coalition won nearly two-thirds of the mayoral races, a 36 percent increase from the 2004 local polls. However, despite da Silva’s explicit backing, the PT’s candidate for mayor of Sao Paulo, Marta Suplicy, lost to incumbent Gilberto Kassab of the conservative Democratic Party. As mayors are traditionally important vote-gatherers for presidential elections, Kassab’s victory represented an important loss for the PT.

A series of major government corruption scandals that began in 2004 continued into 2009. The earlier affairs had involved vote-buying and kickbacks for public-works contracts, but the Senate faced new scrutiny in 2009 over some 660 “secret acts” it had passed since 1995 to award jobs, salary increases, and other benefits to staff members and senators’ relatives. The leader of the Senate, former president Jose Sarney, was accused of personally benefiting from such measures. Despite calls for his resignation, Sarney held on to his seat with da Silva’s support. However, the president’s decision to back Sarney, whose Brazilian Democratic Movement Party (PMDB) was a crucial component of his ruling coalition, alienated many in the PT. In November 2009, the governor of the Federal District—the quasi-state that includes the capital Brasilia—was accused of accepting bribes.

In August 2009, da Silva announced plans to channel Brazil’s burgeoning oil revenues into poverty-reduction programs and augment the role of the state oil company at the expense of foreign investors. The proposed legislation was seen in part as an effort to rally public support behind the administration and specifically da Silva’s chief of staff, Dilma Rousseff, who was expected to run as his successor in the 2010 presidential election.

### **Political Rights and Civil Liberties**

Brazil is an electoral democracy. The 2006 national elections and 2008 municipal elections were free and fair. The constitution provides for a president, to be elected for up to two four-year terms, and a bicameral National Congress. The Senate’s 81 members serve eight-year terms, with a portion coming up for election every four years, and the 513-member Chamber of Deputies is elected for four-year terms.

The four largest political parties, accounting for more than half of the seats in the Chamber of Deputies and the Senate, are the centrist PMDB, the leftist PT, the conservative Democratic Party, and the center-left PSDB. Fourteen other parties

are also represented in Congress. The electoral system encourages the proliferation of parties, a number of which are based in a single state, and lawmakers have sometimes switched parties for financial and other inducements. However, the Supreme Court in 2007 upheld a decision by the electoral tribunal to outlaw party switching after elections.

Corruption is an endemic problem in Brazil, which was ranked 75 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index. Despite a constitutional right of access to public information, the country does not have specific laws to regulate and guarantee transparency.

The constitution guarantees freedom of expression. The press is privately owned, but foreigners can acquire only a 30 percent stake in a media company and are restricted in their ability to influence editorial decisions and management selection. There are dozens of daily newspapers and a variety of television and radio stations across the country. The print media have played a central role in exposing official corruption, including the 2009 scandal surrounding Senator Jose Sarney. At the same time, journalists—especially those who focus on organized crime, corruption, or military-era human rights violations—are frequently the targets of violence. In a positive step, Brazil's highest court in May 2009 struck down a 1967 press law that criminalized libel and slander. The law had been used to harass critical journalists and encourage self-censorship. However, civil suits against journalists remain common. The government does not impose restrictions on access to the internet.

The constitution guarantees freedom of religion, and the government generally respects this right in practice. The government does not restrict academic freedom.

The freedoms of association and assembly are generally respected, as is the right to strike. Industrial labor unions are well organized. Although they are politically connected, Brazilian unions tend to be freer from political party control than their counterparts in most other Latin American countries. Labor issues are adjudicated in a system of special labor courts. Intimidation of rural union leaders continued to be a problem in 2009.

The country's largely independent judiciary is overburdened, plagued by corruption, and virtually powerless in the face of organized crime. Public complaints about the judiciary's inefficiency are frequent, and it has thwarted widely supported reforms. For example, judges regularly employ legal formalisms to overturn government modernization efforts, including those aimed at privatizing state-owned industries and reforming the public welfare system.

Brazil has one of the highest homicide rates in the world. Most violent crime in the country is related to the illegal drug trade. Highly organized and well-armed drug gangs frequently fight against the military police as well as private militias composed of off-duty police officers, prison guards, and firefighters. These militias have intimidated human rights activists and instituted their own form of extortion,

charging citizens a mandatory tax for ousting drug traffickers from their areas. While a crackdown in the summer of 2008 led to the arrest of several important militia leaders, the groups continued to control and terrorize countless *favelas*, or shantytowns, in 2009. In an indication of the severity of Rio de Janeiro's criminal violence, a police helicopter was shot down in October 2009 while flying over a shoot-out between rival gangs in one of the city's slums. In an effort to bolster Rio's security ahead of the 2016 Summer Olympic Games, President Luiz Inacio "Lula" da Silva committed federal police and \$60 million in federal aid to the city.

Brazil's police are among the world's most violent and corrupt. While reports of killings by police in Rio and Sao Paulo fell by 10 percent between 2007 to 2008, killings still exceeded 1,000 annually in 2008. Torture is used systematically to extract confessions from suspects, and extrajudicial killings are portrayed as shootouts with dangerous criminals. Police officers are rarely prosecuted for abuses, and those charged are almost never convicted; typically the cases are dismissed for "lack of evidence."

The prison system is anarchic, overcrowded, and largely unfit for human habitation. According to official estimates, Brazil's prisons hold some 400,000 inmates, 40 percent over the system's intended capacity. Overcrowding sometimes results in men and women being held in the same facilities, and human rights groups claim that the torture and other abuses common to most of the country's detention centers have the effect of turning petty thieves into hardened criminals.

Racial discrimination, long officially denied as a problem in Brazil, began to receive both recognition and remediation from da Silva during his first term. Afro-Brazilians earn less than 50 percent of the average earnings of other citizens, and they suffer from the highest homicide, poverty, and illiteracy rates. When he assumed office, da Silva took the unprecedented step of naming four Afro-Brazilians to his cabinet (three of whom remained in 2009), and appointed the country's first Afro-Brazilian Supreme Court justice. There are currently 17 Afro-Brazilians in Congress.

The owners of large estates control nearly 60 percent of the country's arable land, while the poorest 30 percent of the population hold less than 2 percent. There were an estimated two million landless rural families in 2009. Land invasions are organized by the grassroots Landless Workers' Movement (MST), which claims that the seized land is unused or illegally held. The da Silva administration has promised to implement land reform, but progress has been slow; the government has instead focused on increased access to credit as a way to reduce rural poverty.

Although Brazil abolished slavery in 1888 and has benefited in recent years from a relatively successful antislavery taskforce, between 6,000 and 8,000 rural laborers still work under slavery-like conditions. Landowners who enslave workers face two to eight years in prison, in addition to fines. However, the fines are minimal, and no one has ever been imprisoned for using slave labor.

Brazil's indigenous population numbers around 460,000. The government promised in 2003 to demarcate large swaths of ancestral lands as the first step in creating indigenous reserves. In a landmark ruling in March 2009, the Supreme Court ended a 30-year battle by upholding the 2005 creation of one of the largest protected indigenous areas in the world. The ruling paves the way for the eviction of rice farmers who have resisted leaving the four-million-acre territory. Violence and discrimination against indigenous people continues; half of the indigenous population lives in poverty, and most indigenous communities lack adequate sanitation and education services.

A 2001 decree granted same-sex partners the same rights as married couples with respect to pensions, social security benefits, and taxation. While discrimination based on sexual orientation is prohibited by law, violence against homosexuals remains a problem.

In 2003, a new legal code made women equal to men under the law for the first time in the country's history. However, violence against women and children is a common problem, and protective laws are rarely enforced. Forced prostitution of children is widespread. While the number of child workers has fallen over the past 15 years, 4.85 million children between the ages of 5 and 17 still work in Brazil. The government has sought to address the problem by cooperating with various NGOs, increasing inspections, and offering cash incentives to keep children in school.

While illegal, human trafficking continues from and within Brazil for the purpose of forced labor and commercial sexual exploitation. According to the U.S. State Department's 2009 Trafficking in Persons Report, Brazil still does not comply with the minimum standards for eliminating human trafficking, and prosecutions for forced labor remain deficient. However, the report notes the government's efforts to improve its record, most notably through mobile inspection operations in the Amazon and other remote areas.

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*\*Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*