

# Democracy cannot be taken for granted in Brazil: the risk of the politicization of police forces

## Abstract

The attempted coup by far-right groups, including the invasion of the headquarters of the three branches of government on January 8, 2023, has put Brazilian democracy at risk. Investigations have shown links between the extremist protesters, members of the Armed Forces and the country's police forces. If democracy won, the episode left a legacy that had been growing stronger over the last four years, under the government of former president Jair Bolsonaro: the hijacking of the country's security forces by politics. The article argues that Brazil faces a significant task in the future: the process of instilling republican principles (defense of republicanism and public thing) in the security forces. During the Bolsonaro years, the government unduly interfered in the police and military forces and, at the same time, politicized them. This was evident not only in Bolsonaro's weaponizing speeches and practices, facilitating civilian access to firearms and building up a huge contingent of armed civilian support, with a clear threat to democracy. The author analyses the phenomenon that the Sou da Paz Institute, a Brazilian non-governmental organization, has called *Policialism*: a trend on the political scene in the last decade, characterized by the increasing politicization of public security forces. This translates into partisanship and greater participation by police and military personnel in electoral disputes, the proliferation of police profiles on social networks, and the adherence of security agents to specific ideologies and political positions. Recalling that the militarization of politics and the excess of weapons in the hands of civilians in Brazil are today a heavy legacy for Brazilians, and that democracy cannot be taken for granted, the author says that the federal government, sub-national governments, the National Congress and civil society need to pay special attention to this issue. The article describes the risks of this politicization and presents recommendations to reduce these risks, including suggestions to modernize the Brazilian legislation that regulates police corporations.

**Keywords:** democracy, Brazil, policialism, public security, politicization of public security forces in Brazil, Brazilian armed forces, Brazil's civil and military police, jair bolsonaro, Sou Da Paz Institute

Volume 11 Issue 4 - 2023

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**Received:** October 24, 2023 | **Published:** November 16, 2023

## Introduction

Many Brazilians have been following the investigations into the attempted coup on 8 January this year with bated breath. The event was described as an attack on the headquarters of the three branches of government, promoted by a wave of extremist militants, unhappy with the electoral defeat of former President Jair Bolsonaro and the third term of Luiz Inácio Lula da Silva. The trial of some of them has already begun in Brazil's Supreme Court.<sup>1</sup> It was a serious attack, which put Brazilian democracy at risk, but initially without very clear outlines as to which actors were actually involved in the coup adventure. More than eight months later, the deep links between those extremist demonstrators, the involvement of members of the Armed Forces and the decisive participation of police forces have become increasingly clear. There are investigations on all sides: in the Supreme Court, the Federal Police, a parliamentary commission of enquiry in the National Congress (whose work ended in October), another commission of enquiry in the Legislative Chamber of the Federal District, as well as an investigation by the Brazilian Army itself.

All in all, it's possible to say that Brazilian democracy won, but the episode of 8 January left a legacy that had been growing stronger over the last four years: the hijacking of the country's security forces by politics.

<sup>1</sup>Gullino Daniel. *STF já condenou 25 envolvidos no 8 de janeiro; mais cinco julgamentos começam nesta semana*. O Globo. 2023.

There are strong indications of omission on the part of the Military Police of Federal District in the invasion of the headquarters of the three branches of government on 8 January, which resulted in the arrest of the corporation's general commander, Klepter Rosa, and other officers. According to the investigations, the commander and these officers failed to act to prevent the vandalism due to their ideological alignment with the coup protesters, and even tried to jeopardize the investigation into the criminal acts.<sup>2</sup> This was a very serious incident, emblematic of how the police acted on ideological and political premises, and how they failed to act in the face of a coup attempt. It's also possible to say that the Federal Highway Police were used politically in the elections, by hindering voter traffic on the country's roads. More than 500 operations were carried out by the Federal Highway Police to try to prevent voters from arriving at polling stations on various roads across the country.<sup>3</sup> The actions were only suspended at the time following a request from the Electoral Court. In August this year, almost 50 federal road police officers, including the then director-general, Silvinei Vasques, were arrested by the Federal Police, following an investigation into interference in the second round of the elections.<sup>4</sup> Regardless of the investigations and future trials results, it is evident that Brazil faces a significant

<sup>2</sup>Serapião Fabio. *Comandante da PM do DF é preso sob suspeita de omissão no 8/1*. Folha de S.Paulo. 2023.

<sup>3</sup>Schreiber Mariana. *O que se sabe sobre ações da PRF que contrariaram proibição do TSE?* BBC Brasil. 2022.

<sup>4</sup><https://oglobo.globo.com/politica/noticia/2023/08/09/ex-diretor-da-prf-e-preso.ghtml>

task moving forward: the process of instilling republican principles (defense of republicanism and the public thing), within the security forces. The Bolsonaro years have seen the government unduly interfere in the police and military forces, while at the same time politicizing them. This was evident not only in Bolsonaro's weaponized speeches and practices, facilitating civilian access to firearms and building up a huge contingent of armed civilian support, with a clear threat to democracy.<sup>5</sup> The problem has gone further.

The Instituto Sou da Paz,<sup>6</sup> a Brazilian non-governmental organization that promotes public safety policies of which I am executive director, has dedicated itself over the last few years to analyzing the actions and legislative output of the National Congress in the field of public security. In these analyses, we have observed a significant increase in the number of former police and military officers elected to the Brazilian Parliament, especially in the Chamber of Deputies. The National Congress is populated by representatives of the security forces. This presence is growing with each election. In the last one, in 2022, 44 federal deputies were elected from the security forces, including three army officers. In 2018, there were 42 names; four years earlier, there were 19. In 2010, there were only four. The party (PL, Liberal Party) and state (Rio de Janeiro) of former President Jair Bolsonaro led the victors. The Instituto Sou da Paz has called this phenomenon *Policialism*.

### The risks of *Policialism*

We analyzed this political phenomenon in the study *Policialismo: novo fenômeno político brasileiro?*<sup>7</sup> (“*Policialism: a new Brazilian political phenomenon?*”). identifying this trend on the political scene over the last decade in Brazil, characterized by a growing politicization of state security forces. This translates into partisanship and greater participation by police and military personnel in electoral disputes, the proliferation of police profiles on social networks, and the adherence of security agents to specific ideologies and political positions. As the study showed, the electoral participation of police officers and representatives of the armed forces is not a problem *per se*. Political party participation should be legitimate for any profession. However, the lack of clear rules, the use of public security activities for political promotion and adherence to positions that may go against what the evidence shows in the field of security, damaging policing activities, are part of the phenomenon identified as risky to democracy. What is more serious, however, is the political contamination of police forces, which has even led to riots and targeted actions against specific political actors. The result is police strikes, police celebrities on social media, the growth of militias and the participation of police officers in elections. A study by the Fórum Brasileiro de Segurança Pública (Brazilian Public Security Forum),<sup>8</sup> showed that almost 1/3 of Brazilian police officers interacted with anti-democratic content on social media, compared to only 17% of the total Brazilian population. And what's wrong with *Policialism*? The observed trend brings the risk of instrumentalizing police activity for political purposes and the adherence of public agents to specific party or ideological agendas. On the one hand, a police force that is excessively influenced by party and electoral politics worsens the quality of the service it provides to the population, as it distances itself from professionalism and the

strict fulfillment of legal duties in order to adopt political strategies and personal promotion. On the other hand, a significant proportion of parliamentarians coming from the security forces end up seeing public security in an undemocratic way: the unshakeable conviction of the power of excessive use of force, heavy-handed police operations (generally targeting poorer and black populations) and adherence to simplistic solutions in the fight against violence in the country.

Another side of the problem is that behaviors, values, and actions of the police undermine the perspective of a technical, professional, republican police force. As well as worsening public security, this also threatens democracy itself. This is serious for a country that today has more than 700,000 active civil, federal and military police officers and knows very little about who they are, what they think and what they believe in. Equally serious is the fact that the Brazilian police have a great deal of freedom to define operational policing standards – so they are key to understanding the risks and the political moment in Brazil. After years of a military dictatorship, Brazil elected a civilian President in 1985, but it wasn't until 1988 that a new constitution was promulgated to promote the rule of law, with signs of democratic corrosion from 2013 until at least the end of the Bolsonaro administration. In fact, former President Jair Bolsonaro appointed no less than 6,000 military personnel to government posts. As we know, it is not the role of the military to occupy civilian posts on such a scale. It is not the military's role to govern the country.

### Recommendations

To tackle the politicization of the police, it is necessary to modernize the Brazilian legislation that regulates police corporations. In its study on *Policialism*, The Instituto Sou da Paz recommends:

1. *Extend and precisely define the deadline for police and military officers to leave office in order to run for elected office, so as to minimize the risks of public security being politically instrumentalized.*

The longer the deadline for representatives of the security forces to step down in order to run for office, the less political influence there will be within the forces. The rules for police candidacies need to provide for longer quarantines in order to preserve the troops and corporations spread across the country. According to the legislation and the rules of the Superior Electoral Court, police officers are required to take four to six months off work, depending on the elective office they are running for. For civil police officers, it's three months, regardless of the position. But in the case of the Military Police, for officers without a command position, Brazilian jurisprudence allows them to remain in office until the application for candidacy has been filed with the Electoral Court, which in some years is less than 50 days. At the end of the day, the short period for disqualification is bad for the police, as it politicizes the corporation, and bad for the candidate, as it reduces their campaign time.

2. *Extinguish the “porta-giratória” (revolving door), an authorization for military police officers with more than 10 years' service to return to the service if they are not elected. The decision to become a politician should be final for those who are involved in the maintenance of order and public security.*

Today, Brazilian legislation allows military personnel with more than 10 years' service to return to their corps in the event of an electoral defeat. It is important to prevent police officers from leaving temporarily to launch candidacies. Brazil needs to eliminate the revolving door that exists today, which means that if police officers choose a political career, this decision must be permanent,

<sup>5</sup>In another article, I analyzed the relationship between facilitating civilian access to firearms and ammunition during the Bolsonaro administration and the threat to democracy. See Ricardo Carolina. Has Bolsonaro released a flood of guns to overwhelm Brazil's democracy? *Open Democracy*. 2022.

<sup>6</sup>See <http://soudapaz.org.br>

<sup>7</sup>Instituto Sou da Paz. *Policialismo: novo fenômeno político brasileiro?* 2022.

<sup>8</sup>Fórum Brasileiro de Segurança Pública. *Política entre policiais militares, civis e federais do Brasil*. 2021.

not temporary. This guarantees their freedom to enter politics and exercise their free right to political participation, but avoids party and ideological contamination in the corps, with police officers returning after elections or terms in office.

3. *With regard to the candidacies of military personnel who have already joined the reserve, it is possible to increase the time between moving to the paid reserve and joining parties and campaigns.*

This measure helps to protect military personnel who are at the end of their careers and who legitimately have political ambitions from any politicization.

4. *Strengthen surveillance and provide widespread information about the rule prohibiting the use of uniforms in electoral campaigns.*

Social networks have given visibility to police work and made it difficult for police commanders to control the exposure of their professionals and the institutions themselves. This has created challenges for police forces and democracy itself, such as the limits of freedom of expression. This is an issue that Brazil needs to discuss more. While ensuring freedom of expression for police citizens, there must be certain limits to excessive exposure. Today, Brazilian legislation also prohibits the wearing of police uniforms during election campaigns. This is a measure that needs to be strictly enforced.

5. *Create institutional mechanisms to receive and process labor demands from military police officers, in order to prevent riots from breaking out in the absence of proper mechanisms for labor or association negotiations.*

It seems essential to work towards greater professionalization of the police, and this requires adequate working conditions, careful training, clear protocols, and procedures for the use of force, shielding the corporation from overly political interference by state secretaries and governors, and mechanisms for accountability of its activities. These are some of the central elements for this professionalization, with a direct impact on its efficiency and the protection of democracy.

A security policy involves fostering a culture of upholding the rule of law, which presupposes strict control over the use of force and police corruption. A police force that doesn't respect the law is not capable of promoting urban security, but is instead a source of insecurity for citizens, especially young black men, and for the police themselves. A more professionalized security force will mean action focused on the public good, and not on the interests of the police themselves, whether they are candidates or not. The militarization of politics and the excess of weapons in the hands of civilians in Brazil are today a heavy inheritance that Brazilians now have, even though democracy has, at least provisionally, won. It's a risk that the federal government, sub-national governments, National Congress and civil society need to pay special attention to. We should have learned that democracy cannot be taken for granted.

## Acknowledgements

None.

## Conflict of interest

The author declares there is no conflict of interest.