

The shifting role of the Brazilian Military since 1985

A study of changes in the civil-military relations

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Abstract

This thesis will investigate the development of civil-military relations in Brazil since the democratization in 1985. The two most important previous studies, by Alfred Stepan and Wendy Hunter, will be presented and discussed. They were published in 1988 and 1997, respectively. There is therefore a need for a study that includes the development during the long period since these two books were published. The focus will be on three indicators, civilianization of government, how the role of the military has been defined, and military expenditures. The conclusions are that there are contradicting tendencies regarding the development of the civil-military relations, and that the strengthening of civilian institutions is paramount in order to consolidate democracy in Brazil.

Keywords:

Brazil, armed forces, civil-military relations, democracy, military expenditures.

Abbreviations

ABIN	Agência Brasileira de Inteligência (Brazilian Intelligence Service)
DSI	Divisão de Segurança e Informação (Division of Information and Security)
EMFA	Estado Maior das Forças Armadas (Armed Forces General Staff)
PDS	Partido Democrático Social
SAE	Secretaria de Assuntos Estratégicos (Secretariat of Strategic Affairs)
SIPRI	Stockholm International Peace Research Institute
SISFRON	Sistema Integrado de Monitoramento de Fronteiras
SNI	Serviço Nacional de Informações (National Intelligence Service)
UPP	Unidade de Polícia Pacificadora
GDP	Gross Domestic Product

1. Introduction

The civil-military relationship is still a complicated issue in Latin America because of the brutal legacy of the military regimes that most countries in the region faced during the 20th century. Civil control over the military is regarded a necessity, and it is a crucial condition for the consolidation of democracy (Karl, 1990, p. 1). After the military dictatorships had ended, two of the most important issues for civilian politicians were how to control the military and what role to give them in society. Many measures were taken to reduce the influence of the military, but at the same time armed forces throughout Latin America were given the task of implementing governmental programs in traditionally civilian areas of policy. For example, in Venezuela, president Chavez set up Plan Bolivar 2000, which put the military in charge of building schools and roads, running medical clinics, etc. Brazil is not excluded from this trend. The employment of the military in other than their traditional roles has been observed in Brazil more frequently since the election of Lula da Silva in 2003. Geraldo Cavagnari, a professor at the Strategic Studies Center at the University of Campinas and a former army colonel, says:

"When the military rule ended, there was a hiatus in which everything associated with the military and every initiative the dictatorship had taken had to be defenestrated, but time has passed, democratic rule is firmly implanted and we now entered a period of reflection about the military and the tasks it should undertake." (Rohter, 2003).

Brazil was considered the least promising Latin American country in terms of successful civilianization (transition from military to civilian control of society). Due to the relative absence of war in South America during the 20th century, the Brazilian military was more organized for politics than for war. (Silva, 2001, p. 74). The first civilian president after the 21year period of military rule was José Sarney, whose government did little to increase the civilian control over the Brazilian Military. On the other hand, the subsequent presidents beginning in the 1990s and early 2000s brought about changes in the direction of demilitarization and civilianization of politics. However contradicting tendencies have also been observed, as will be seen in this thesis.

The previous major studies on this topic were published by Alfred Stepan (1988) and Wendy Hunter in (1997). The two studies reached quite different conclusions. Alfred Stepan predicted that civilianization would be unsuccessful and that the influence of the military in

politics would continue to be strong. Wendy Hunter on the other hand came to the conclusion that the influence of the military had already decreased and that a successful civilianization was on-going. This difference can depend on the fact that Wendy Hunter had access to data from six additional years. Today we have experience from more than two more decades that neither of them had access to. There is therefore a need for analysing the development of the whole period.

The purpose of this thesis is to investigate the development of civil-military relations in Brazil throughout the whole period 1985-2017 in order to answer my research question which is : How has the Brazilian military's role developed after the end of the military dictatorship. I have chosen to study three major indicators of changes in civil-military relationships, namely 1) governmental formal control over the military (civil control over the military), 2) the tasks of the military, in particular tasks that go beyond the protection of national security, 3) military expenditures. The first and second indicators are qualitative. I will describe changes in the formal civil-military relationships and the tasks that the president and federal government have assigned to the military. The third indicator constitutes the quantitative part, with three tables showing: military expenditures per capita, military expenditure as percentage of governmental spending and lastly military spending as part of GDP (gross domestic product). The data in the tables has been taken from the Stockholm International Peace Research Institute (SIPRI).

I will relate my findings to the two major standpoints in the previous literature, as presented by Stepan and Hunter. In the first part of the thesis I will present their different opinions and approaches. A subsequent section will give a short description of the military's own view. In the next part of the thesis I proceed to investigate each of my three indicators. Following that I discuss the two previous standpoints in light of how the three indicators have developed. In the concluding section I will briefly present my own conclusions on the current problems in the Brazilian democracy relating to the military.

2. Method

I began by reviewing the literature in order to find the main texts on civil-military relations in Brazil and to identify the major standpoints in the literature. I found that there is a gap in the research, a gap that I will try to contribute to filling. The gap is that the major studies on the role of the Brazilian military do not include recent developments. Almost all key publications were written in the 1980s and 1990s. I find it important to complement and possibly revise the conclusions and standpoints in these publications in light of recent political developments, including the economic boom in Brazil in the mid 2000s and the subsequent economic problems and political scandals that now plague the country.

I decided to collect empirical data that provides information on the issues discussed by Alfred Stepan and Wendy Hunter. I will relate this data to the two standpoints promoted by these two authors in order to answer my research question.

After reviewing indicators used in previous studies I selected three, namely:

1. Civil control of the military:

This can be fairly well studied by finding out the institutional structures, focusing on what control mechanisms and counter balances are in place.

2. The task of the military:

Is their task only to defend the country against external threats or do they have other tasks that make them influential in civil society?

3. Military expenditures:

One would expect that if the military have a large influence in politics they would have a large part of the governmental budget. This can be studied by using published statistics.

These three indicators were chosen for three reasons: First they are reliable, in the sense that they can be definitely determined from sources such as constitutional texts and official statistics. Secondly, they are central in the previous discussions regarding this topic (Bruneau and Tollefson, 2014, p. 114). Thirdly, interesting changes can be observed in the period under study.

I selected the three indicators from the eleven indicators that Alfred Stepan presented in his study and which Hunter restudied in her book (Stepan called them prerogatives). An extended analysis of all eleven would have given a more detailed understanding of the relationship, but these three are so central for the subject matter that I consider them to be sufficient for the purposes of this initial study.

I use mainly books and other sources in English, because I have focused on international peer-refereed journals and books from recognized and renowned publishers. In a more extensive study I would have had a stronger emphasis on primary sources, which would predominantly be in Portuguese.

I will primarily use qualitative methods but I will also use some statistics, which will be the quantitative part of this study.

The first indicator is civil control over the military. I have studied the research literature to identify the control measures at the government level introduced by the different presidents since 1985.

The second indicator is how the role of the military has been defined. Major changes of their role have been reflected in the constitution; therefore I have studied the constitutional changes and amendments over the years since the end of the military dictatorship. By studying the different roles given to the military in the constitution I could discern a pattern of increased roles and more frequent use of the military in society. Particularly interesting changes took place during Lula's presidency. Therefore I have complemented my study of the constitutional texts with a study of scholarly texts and newspaper articles referring to that period.

The third indicator I have chosen is military expenditures. I made use of data from the Stockholm International Peace Research Institute (SIPRI). I extracted the data from SIPRI and made three diagrams in Excel: military expenditures per capita (Figure 1), as percentage of governmental spending (Figure 2) and as part of gross domestic product (GDP) (Figure 3).

3. Previous Literature

Many authors such as Juan J. Linz, Terry Karl and Philippe Schmitter but also Frances Hagopian and Jorge Zaverucha (Pion-Berlin, 2001, p. 50) have emphasized that Brazil was considered the least promising Latin American country in regard to civilianization and democratic consolidation. But the author with that message whom I will have my focus on is Alfred Stepan. He is generally considered to be the most important author in that tradition. I will also discuss Wendy Hunter who represents a contrasting view.

Alfred Stepan

The American scholar Alfred Stepan (1936-2017) has been hailed as one of the most influential analysts on the role of the military in politics, especially in Brazil. According to Scott Mainwaring who is a professor in Brazil Studies at Harvard University, "Al[fred Stepan] was one of the world's most important scholars of democracy and authoritarianism since the 1970s. Indeed he was one of the world's most important comparative political scientists during a very long time." (Goldsborough, 2017).

Stepan's most influential book is *Rethinking Military Politics: Brazil and the southern Cone* (1988). It was published just before the new Brazilian Constitution was ratified in 1988. His objective in the book was to show how the military's willingness to influence the state as well as civil society was still prevalent at least up to 1988. His definition of the state is as follows.

"...the continuous administrative, legal, bureaucratic and coercive system that attempts not only to manage the state apparatus but to structure relations between civil and public power and to structure many crucial relationships within civil and political society." (Stepan, 1988, p. 4)

In his book Stepan discusses the difficulties that countries plagued with military regimes have to overcome in order to control the military. He investigates the role of the Brazilian military in a period of transition, namely the years 1985–1988. He discusses how the military tried to find new roles and partnerships in the private sector. The book gives the reader an understanding of the continuing disagreement between the military and the civilian government. His book is based on comparative data, interviews and archival material, not only from Brazil but also from three other countries in the southern cone, Argentina, Uruguay and Chile, and also from Spain.

To explain the military's desire to control the polity Stepan examines the role of the *Serviço Nacional de Informações* (SNI) during the military rule. SNI was in charge of internal security and special operations, and they had by law an office in every ministry, state enterprise and university. They were independent and had their own operators, which provided them with considerable operational capacity. The head of the SNI was a cabinet minister who had direct and daily access to the president. There was no permanent or external review agency that oversaw the SNI. (Stepan, 1988, p. 19).

Stepan argues that the strength and the autonomy of the SNI, made the rest of the military look for allies in civil society in order to combat the growing power of the SNI. After 20 years of rule they felt that the best way of maintaining the interest of the military as an institution was to let there be a civilian government. As Admiral Jose Maria do Amaral Oliviera said in August 1981, "It will be easier for the military to advance our legitimate claims against a government led by a civilian" (Stepan, 1988, p. 57). Another reason can be seen from a poll that was made in 1982. It revealed that the military was losing support and prestige especially among the upper socioeconomic groups. This was probably connected with the many charges of corruption (ibid).

According to Stepan, prior to and during the transition the military made arrangements to manoeuvre as a political actor during democracy (Stepan, 1988, p. 134). In democratic theory politics is about free contestation via elections for the control of power, argues Stepan. However, the military retained much of the power that derives from management of violence, a central dimension of the modern state that was still outside the control and scope of democratic politics. In 1979, when the military anticipated a coming re-democratization process, they passed an amnesty Law (*Lei de Anistia*). The law granted amnesty to individuals accused of political crimes (in a wide sense, including various forms of complicity). The law did not include people accused of robbery, terrorism or kidnaping. Human right violations committed by members of the military government were seen as political acts, which made them immune to prosecution (Nielson, 2009). Under the new civilian regime the military constructed a kind of lobby organization consisting of thirteen officers working full time as liaison officers and advisors to congress on military matters to lobby congress (Stepan, 1988, p. 134).

Stepan claims that after democratization there was very little discussion about demilitarizing politics by the state or civilian society. People had the belief that just having a civilian

president and the former opposition party in control of congress would demilitarize the polity without an actual strategy to increase civilian control. According to Stepan this was an unrealistic expectation because, as he writes:

"Since a monopoly of the use of force is required for a modern democracy, failure to develop capacities to control the military represents an abdication of democratic power" (Stepan, 1988, p. xv)

The congress did not take any steps itself to be an informed and authoritative actor concerning military affairs. According to Stepan this would have been needed to gain control over the allocations within the military budget, which congress can in theory review. But as a former Brazilian General Staff colonel said, "what is lacking is technical competence for the congress to debate military affairs and projects" (Stepan, 1988, p. 135). When asked why the civilians had not made any progress towards controlling the military since the transition, he answered, "The military have a project and the will. The civilians have neither" (Stepan, 1988, p. 127).

In Stepan's view the first few years after military dictatorship provided ample empirical evidence that Brazil would have great difficulties in limiting the influence of the military. (Pion-Berlin, 2001, p. 50). He used his eleven indicators to prove that Brazilian democracy would suffer from a serious handicap.

According to Stepan it would be necessary to have a more effective control of the military and the intelligence systems in particular regarding the use of coercion. Furthermore, fewer military appointments should be inherently political in nature. He proposed an increase of civilian engagement in military affairs in order to obtain external oversight over the military institutions. The military should be systematically incorporated into civilian-led structures, such as a national Security Council. Stepan says that the number of military personnel at the cabinet level should be limited. He recommended the creation of a Ministry of Defence led by a civilian appointed by the president. Only the minister and no generals should represent the military sector in the cabinet. According to Stepan this would create a more effective system of mutual exchange of information and grievances. In this way the capacity of democratic control would increase. (Stepan, 1988, p. 145).

Wendy Hunter

Another key author in the field is American scholar Wendy Hunter who developed a viewpoint that is contradictory to Stepan's. She wrote her book *Eroding Military Influence* in 1997. This made her able to counter his arguments with new empirical data. She based her conclusions on an analysis of Brazilian developments up to 1994, which extended Stepan's analysis to an almost three times longer period after the end of the military dictatorship. During that period the military's influence decreased because of positive changes made by politicians in Brazil. She predicted that this positive development would continue. In her view the "unfolding of the rules and norms of democracy" would lead to the erosion of the military's influence (Hunter, 1997, p. 2).

In addition, "strategic calculations of self-interested politicians" in electoral competition would create "incentives for politicians to reduce the interference of a politically powerful and active military". This would be possible since "broad and popular support enhances their capacity to do so" (Hunter, 1997, p. 21). According to Hunter "like presidents, legislators seek to extend their own power and influence". The president and legislators will fight to increase their own power and decrease everyone else's. "If the armed forces are judged to interfere with this goal, legislators will want to remove them from relevant institutional spheres and possibly reduce their reach overall" (Hunter, 1997, p. 93)

According to Hunter, the tension between military and political interests in the competition for resources and budget shares leads to decline in military influence in a democracy. She tried to prove that the military was losing power by pointing out the decline of the military expenditures. In the national budget "the share of military expenditures in total public spending has actually diminished considerably under civilian rule" (Hunter, 1997, p. 95). (See Figures 1-3.)

4. What Do the Military Themselves Say?

Before presenting the details of what has happened, let us listen to what the military themselves say about their role. In an interview from 2017 the commander of the Army, Villas Boas says, the army is unanimously and absolutely aware that they are an institution of

the state that should not participate in political or partisan activities. People like to talk about the period before 1964, he says. The military still has the same values, principles and objectives, but the circumstances have changed a lot, says Villas Boas. Now the country has mature institutions, and steps have been taken to ensure that the military fulfil their functions. The Brazilian people will find ways to overcome the current crisis he says, referring to the present political turmoil in Brazil.

In addition to ensuring the public that a military intervention is not going to take place, he also has critical views about the army being in charge of public safety. Villas Boas believes that the problem of public security is a lot more complex and requires more than soldiers in the streets. In his view this is a problem with very deep roots. It depends on lack of funding, the failing of other parts of government and perhaps even lack of responsibility in society. The problem concerns education and social discipline, which Brazilian society according to him is lacking. He says that there is a lack of alternatives for the youth, and they lack something that gives them hope for the future. His final remark is that the use of the armed forces is not miraculously going to solve the problem of public security, it can help, but only temporarily (Odila, 2017).

But this stance by the military might change because Villas Boas is sick and confined to a wheelchair. Hard-liners are waiting behind to succeed him. One of them is the secretary of the Economy and Finances of the Army, Antonio Hamilton Murão who in an interview said that there is a limit to the amount of political chaos that the armed forces can tolerate. "Either the institutions solve the political problem through the courts, removing those elements involved in illegal acts from public life, or we will impose a solution" he went on saying. "We have very well-made plans, this solution won't be easy. It will bring trouble, you can be sure of that." (Cuadros, 2017).

A former army captain and presumptive nominee to the presidency, Jair Bolsonaro, has openly said that the military will be a part of the next government if he gets elected in 2018. He expects them to then fix the turmoil, eliminate corruption once and for all, and put an end to violence (Bolsonaro, 2017).

5. Civil Control Over the Military

The first indicator I chose to examine is the development of civil control over the military, this is largely determined by presidential decisions, and I have therefore chosen to organize this section chronologically with one subsection for each president since 1985. I have searched in the research literature for information concerning the policies that each of them implemented. I have focused on the actual changes rather than the causes and circumstances of each change. This is because the actual changes are more relevant for my research question.

José Sarney (1985-1990)

José Sarney was a prominent leader in the PDS (Partido Democrático Social), which was created in 1980 by the rulers of the military dictatorship to support the authoritarian regime. During his tenure as President of the Republic he did little to demilitarize the government. In his own cabinet six members were active duty generals, namely the chief of each branch of the armed forces as well as the chief of the National Intelligence Service (SNI) and the chiefs of the Military Cabinet and of the Armed Forces General Staff (EMFA) (Castro Santos, 2004, p. 120). They had a large influence in major issues on the governmental agenda. For example, the new constitution was favourable for the military since it lacked mechanisms for civilian supervision, which left it to the three branches to decide their own policies. This could to a large extent be explained by the large military lobby (Stepan, 1988, p. xv).

Fernando Collor de Mello (1990-1992)

Fernando Collor had a completely different approach towards the military, and made radical changes in order to limit the military influence in politics. The most important decision was to dismantle the SNI and build up a new intelligence agency, the Secretariat of Strategic Affairs (SAE). The new agency had no position in the cabinet of ministers. In addition to that, he stripped the chiefs of both the EMFA and the Military Cabinet of their ministry status. In this way the number of military positions in his cabinet dropped from six to three, with only the three heads of each military branch still left. He also abolished the agency that was in charge of gathering intelligence within civilian ministries, the Division of Information and Security (DSI). This deliberate strategy by Collor, together with subsequent budget cuts

and huge lay-offs of personnel caused the military to lose political power and prestige (Castro Santos, 2004, p. 121). His budget cuts were not only directed towards the military but civilian institutions were also affected by the economical climate and neo-liberal reforms. Figure 3 shows the drop in military expenditures from 1990 to 1992. The budget reduction was so large that the military even became unable to conduct exercises due to insufficient funds, shortage of ammunition and lack of fuel (Castro Santos, 2004, p. 122).

Itamar Franco (1992-1995)

One might think that Itamar Franco would follow in the footsteps of the impeached Collor with regard to his stance towards the military, but that proved not to be the case. Franco's desire to curb corruption led him to appoint former military officers to occupy positions at high level in governmental agencies and state enterprises. This was based on his belief that military personnel were honest. He also reinstated the DSI to keep track of activities within the civilian ministries. The largest step he took to reduce civilian control of the military was to once again give ministerial status to the heads of SAE, EMFA and the Military Cabinet. Again, six active duty generals were members of the cabinet (Castro Santos, 2004, p. 125). Unsurprisingly this was accompanied by an increase in military expenditure as percentage of GDP, as shown in Figure 3.

Fernando Henrique Cardoso (1995-2003)

In 1996 Congress approved an amendment in the constitution which labelled military personnel as public servants rather than civil servants (Castro Santos, 2004, p. 127). This allowed them more generous salaries and pensions. This can be seen as a sign of that the military lobbying had been fruitful (Martins Filho and Zirker, 1998, p. 6). On the other hand, Cardoso reduced military influence by creating the Ministry of Defence, the Brazilian Intelligence Agency (ABIN), and the National Defence Policy. In the new organization the head of the Ministry of Defence was a civilian, and the different branches of the military could no longer choose their own policies. They were now under the command of their hierarchical superior, a civilian (Castro Santos, 2004, p. 134). Consequently the number of active military personal in his cabinet went down to zero. After a massacre of 19 people from the Movement of Landless Rural Workers committed by military police officers, Cardoso decided to transfer jurisdiction over killings by military personnel from military to civilian courts. (Domínguez, 2001, p. 100)

Luiz Inacio da Silva (Lula) (2003-2011)

Lula did not make any significant changes in the civilian control over the military. This can be seen as a sign that he was satisfied with the reforms of his predecessors. (However, he significantly changed the tasks of the military, increasing their roles, see section 6).

In 2008 Lula provided the country with a National Defense Strategy with the overarching goals to “reorganize the armed forces, reconstruct the Brazilian defence industry while promoting economic development and revising the policies governing the composition of the armed forces, including revisiting the issue of compulsory military service”. (Diehl and Fuji, 2009). This can be seen as a way to intergrate the military in society at large.

One episode that tested the civil-military relations occurred in 2004 when a newspaper posted a naked man on the front page, covering his face in despair. He was at first believed to be an influential journalist who had been tortured and killed in prison. The picture had been given to the Committee of Human Rights of Congress in 1997 by a secret agent in the army. The response from the army was to justify the torture and imprisonment of members of what they called "subversive movements". Lula's response to these military statements was quick and decisive. He immediately demanded the commander of the Army to retract his undemocratic statements (Castro Santos, 2004, p. 137).

Dilma Rousseff (2011-2016)

Dilma had a political conviction from an early age. Her father came from Bulgaria and was a member of the Communist Party. When she was 21 she had already joined a clandestine Marxist-Leninist group which fought against the military regime. In 1970 she was sent for two years to prison, where she was tortured (Rohter, 2010, p. 264). Like Lula, Dilma made no significant changes in the formal structures controlling the military, which can be interpreted as meaning, that she also was satisfied with the procedures introduced by her predecessors.

However, during Dilma's presidency the Ministry of Defence released a “White paper” (Livro Branco) to serve as a guide to the overall Defence Policy. The White paper offers transparency and is said to lay the groundwork for a more open and transparent

communication of the country's defence and security objectives. It is a step to making civil society involved in discussions about national Defence, according to Dilma.

"It's important for all Brazilians to understand the significance of our engagements in the area of defence. Civil society should understand that defence issues are not exclusive to the military."
(Dilma Rousseff, quoted in Hulse, 2011)

She also took an important step when it came to assigning responsibility for historical wrongdoings by the military. In 2012 she ordered a commission to investigate human rights violations during the 21year period of military dictatorship 1964-1985.

"Brazil deserves the truth, the truth means above everything the opportunity to reconcile ourselves and our history". (Dilma Rouseff, quoted in Variyar, 2014)

Members of the commission called for the amnesty law from 1979 to be dismantled and for the guilty to be punished. The commission also concluded that abuses still continue, due to the legacy of impunity set during the dictatorship. However, Dilma did not want to dismantle the amnesty law stating that national unity has higher priority (Boalde and Winter, 2014).

Michel Temer (2016-)

Michel Temer has introduced a cap on governmental spending for the next 20 years. This was not well received among the Brazilian population, since it has strong negative effects on their personal economic situation. There have been numerous strikes and protests against him and his politics. Police strikes in some cities increased the murder rate by 650 %. In response to this, he ordered the military to "guarantee law and order". In practice this means that the military's role as a "police force" has increased. Many cases of violence of against civilians have been reported (Davies, 2017).

In October 2017 Temer approved law according to which serious crimes committed by military personnel during domestic operations are transferred to the Military Judiciary. Such cases had since 1996 been handled in civilian courts. This decision has stirred an outrage among human rights advocates as well as from the Prosecutor General Office. Amnesty International states in a report that the military has shown in the past (referring to the dictatorship 1964-1985) that they do not prioritize investigations of crimes committed by their own members (Valente, 2014). The Minister of Defence on the other hand defends the

decision, saying "a civil jury trial does not represent the most adequate forum of the judgment of an act committed by a military member of the armed forces during the performance of a military operation". He concludes his statement by saying "A military member of the Armed Forces doesn't act as a private citizen, but as the state itself, under its supreme power, and deserves to be judged by a specialized judiciary." (Valente, 2014).

Preliminary conclusion

Stepan was right in pointing out that not much was done in the period 1985-1988 to control the military's influence. However, in the three decades 1988-2017 several such measures have been taken, including the creation of the Ministry of Defence, the National Defence Policy, the National Defence Strategy and the White Paper, the exclusion of active duty officers from government, appointing civilians as heads of the Ministry of Defence, and replacing the intelligence agency SNI by the new agency ABIN. The ABIN that was created to be a "non-partisan, non-ideological organ committed to democracy" and its chief of ABIN is a Civilian (Castro Santos, 2004, p. 129). In 2017, on the other hand, civilian control has again decreased through the transfer of judicial control over military personnel to military courts. It is too early to tell if this is the beginning of a new trend.

6. The Tasks of the Military

The current Brazilian constitution was ratified in 1988, but there have been many amendments and changes since then.

In the original 1988 constitution, paragraph 142 defined the role of the Armed Forces as follows

"The Armed Forces, comprised of the Navy, the Army and the Air Force, are permanent and regular national institutions, organized on the basis of hierarchy and discipline, under the supreme authority of the President of the Republic, and are intended for the defence of the Country, for the guarantee of the constitutional powers, and, on the initiative of any of these, of law and order." (Constitution

¹ "As Forças Armadas, constituídas pela Marinha, pelo Exército e pela Aeronáutica, são instituições nacionais permanentes e regulares, organizadas com base na hierarquia e na disciplina, sob a autoridade suprema do Presidente da República, e destinam-se à defesa da Pátria, à garantia dos poderes constitucionais e, por iniciativa de qualquer destes, da lei e da ordem."

1988 BR 3rd ed. 2010, art. 142, emphasis added. English translation quoted from Samset, 2014, p. 5)

This meant that the military could not legally intervene in domestic politics by their own will. According to the constitution they could only intervene at the request of the civilian authorities (Samset, 2014, p. 3).

In 1999 an amendment was made to define in what other areas the armed forces may be used and by whom.

"The use of the Armed Forces *in the defence of the Country and in the guarantee* of the constitutional powers, *of law and order*, and in participation in peace operations, is the responsibility of the President of the Republic."² (*Lei Complementar no. 97* 1999, art. 15, emphasis added. English translation quoted from Samset, 2014, p. 6)

Some further additions were made in 2001.

"The deployment of the Armed Forces to guarantee law and order [...] should be episodic, in [a] pre-defined area and have the shortest duration possible"³ [...]. (*Decreto no. 3897* 2001, art. 5. English translation quoted from Samset, 2014, p. 7)

"The President of the Republic, in view of a solicitation by a State Governor or the Governor of the Federal District, can, on his or her own initiative, order the deployment of the Armed Forces to guarantee law and order"⁴. (*Decreto no. 3897* 2001, art. 2 para. 2. English translation quoted from Samset, 2014, p. 7)

"In the use of the Armed Forces [to guarantee law and order], if there are means available, however insufficient, of the respective Military Police, this [police], given an announcement of the Governor of the State, will act, in part or in full, under the operational control of the military command responsible for the operations, as long as this is required or recommended in the situations to be faced"⁵. (*Decreto no. 3897* 2001, art. 4. English translation quoted from Samset, 2014, p. 7)

² "O emprego das Forças Armadas na defesa da Pátria e na garantia dos poderes constitucionais, da lei e da ordem, e na participação em operações de paz, é de responsabilidade do Presidente da República..."

³ "O emprego das Forças Armadas na garantia da lei e da ordem, que deverá ser episódico, em área previamente definida e ter a menor duração possível..."

⁴ "O Presidente da República, à vista de solicitação de Governador de Estado ou do Distrito Federal, poderá, por iniciativa própria, determinar o emprego das Forças Armadas para a garantia da lei e da ordem."

⁵ "Na situação de emprego das Forças Armadas, caso estejam disponíveis meios, conquanto insuficientes, da respectiva Polícia Militar, esta, com a anuência do Governador do Estado, atuará,

When Lula came into power, on his proposal additional tasks for the military were written into the constitution:

“It falls on the Army, beyond other pertinent actions, as particular subsidiary attributions: [...] to cooperate with the public organs at the federal, state, and municipal levels and, exceptionally, with private enterprises, in the execution of engineering services, the resources being provided by the soliciting organ.”⁶ (*Lei Complementar no. 97* 1999, art. 17A para. II, *Lei Complementar no. 117* 2004, art. 2. English translation quoted from Samset, 2014, p. 12)

Lula’s view of the military was that aside from doing their principal duty of defending the country, the armed forces should also participate in the social programs that the new government introduced. Eleven engineer battalions were ordered to construct and reconstruct 600 miles of road a year in cooperation with the ministry of transportation. Furthermore, children were allowed to use the sports facilities at military bases, and the military were put in charge of providing healthcare in remote areas of the Amazon (Rohter, 2003)

All new tasks assigned to the military were not that peaceful in nature. An increased involvement in combating drug trafficking was also seen during Lula’s presidency. Since 2008 the military have been seen more and more frequently on the streets to help the police in pacification and in setting up the Unidade de Polícia Pacificadora (UPP-stations) and to curb drug-related violence in many favelas. (Samset, 2014, p. 16)

The Defence minister proudly proclaimed that the armed forces had no objection to "taking part in the noble task of supporting the social development of the country as long as it doesn’t interfere with safeguarding our sovereignty" (Rother, 2003). The new tasks were at first seen with kind eyes by military leaders who hoped for a higher profile and increased funding. However, some officers were not happy with the changed role because they feared that increased involvement, especially with combating drug trafficking, would lead to a politicization and corruption of the armed forces. One former army colonel and now professor at the Strategic studies Center in Campinas said,

parcial ou totalmente, sob o controle operacional do comando militar responsável pelas operações, sempre que assim o exigam, ou recomendem, as situações a serem enfrentadas.”

⁶ “Cabe ao Exército, além de outras ações pertinentes, como atribuições subsidiárias particulares: cooperar com órgãos públicos federais, estaduais e municipais e, excepcionalmente, com empresas privadas, na execução de obras e serviços de engenharia, sendo os recursos advindos do órgão solicitante.”

"The Brazilian Military doesn't have the operational capacity to do all this!, people forget that the armed forces was neglected and abandoned for years. If their capacity to perform their main mission is low, then imagine their ability to carry out these complementary missions." (Rohter, 2003).

The total effects of all these changes were a transition from a role primarily restricted to national security, to an extended role. This has made the military more involved in tasks related to internal law and order, but also tasks in public development and implementation of domestic policy.

The increased number of roles for the military made people draw the parallel to how the military was used during the dictatorship (Samset, 2014, p. 3). The Brazilian constitution states that it is the job of the police to maintain public order. As a consequence people started to mistrust the police, which should be the institution taking care of their safety and security. This can be seen in surveys conducted by the Fundação Getulio Vargas (Samset, 2014, p. 14).

7. Military Expenditures

As mentioned in the methods section, I have extracted data from SIPRI to draw three diagrams shown in Figures 1-3. Unfortunately, the data concerning military expenditure as percentage of governmental spending was only available from 1996 but some clear patterns can still be seen.

The three diagrams provide different perspectives on military spending. Figure 2, which shows military expenditure as percentage of government spending in Brazil, tells us how the governments set priorities. If we take the period between 2005 and 2011 the percentage of government spending on the military was close to 3,8% every year. However, if we look at the military expenditure per capita (Figure 1) it went up from 72 dollars to 184 dollars, which is an increase by 156%. This is important for understanding the military's perception of how they are being treated. Their perception is that they get increased influence because expenditure per capita has increased by 156% and they can increase their activities, but in terms of the percentage of overall governmental spending there was essentially no change. That is interesting because according to both Stepan and Hunter, a very important step in order to limit military influence is to decrease the amount of military funding.

During Lula's Presidency 2003-2011, Brazil saw significant economic growth. The economic growth relied heavily on commodity exports that increased due to a sudden rise in commodity prices. The Brazilian exports to China increased fourfold between 2000 and 2010 and helped shield Brazil from the global crash in 2008. In the mid 1990s the total export accounted for 6% of the GDP and in the mid 2000s it had increased to 14% (Silva, 2017). But as history has shown, a boom that relies on high commodity prices can end abruptly and shake the economy. Beginning in 2012, the economy went into a downward spiral due to reduced income from exports. This was worsened in 2013 when the price of soy bean plummeted and the Petrobras corruption scandal was exposed.

The military received "their share" of the increased resources during the economic boom. They used it to upgrade old material, and they started a few giant military projects like the production of airplanes, the Integrated System of Boarder Monitoring (SISFRON), an armoured vehicle production program called Guarani (Silva, 2017), as well as the production of nuclear submarines. In 2004 the Brazilian military was put in charge of the UN peacekeeping mission in Haiti (ibid).

When the boom ended in 2012 several military projects were delayed due to lack of funds. (Pike, 2014). In the diagram showing military expenditure per capita (Figure 1) we see that after 2011 the numbers are decreasing. As seen in Figure 3, they are also decreasing as part of the GDP.

As mentioned in the section about Michel Temer, in 2016 he approved a controversial constitutional amendment, "Constitutional Amendment 95", which puts a financial ceiling on governmental spending for the next 20 years. This makes it very difficult to fulfill the military modernization plans approved by Lula in the early 2000s. An increase in military expenditures will have to be at the expense of other areas such as education or healthcare. (Pike, 2014)

The military budget in Brazil has a different structure than in most other countries. Three quarters of the defence budget goes to salaries and pensions, and the rest goes to maintenance and material. In the United States the numbers are reversed (Land, 2015). Brazilian military personnel can retire at the age of 50, and some have a pension equivalent to their final salary (Pike, 2014).

At the beginning of 2017 President Temer started to push for a pension reform that will save the state billions. The reform is expected to be approved by congress in February 2018. The only group excluded from the pension reform was the military. The Ministry of Defence states that the 2001 reform of the armed forces had already "led to considerable savings", and further restrictions on the military would not be reasonable. Raul Jungman, the Minister of Defence, also said that members of the armed forces do not retire. Instead, they simply pass into the reserves and technically they can still be called up to serve their country. That is in his view why they should be treated differently (Douglas and Gamarski, 2017).

But this exclusion from the pension reforms can raise questions about the privileged role of the military in Brazil today. Leaving the military untouched puts an extra heavy burden on civilian institutions and on areas such as education, healthcare and transportation.

8. Discussion

My discussion will be comprised of two parts. Part one will discuss the three indicators in relation to my research question namely, how the role of the Brazilian military has changed since the end of military dictatorship in 1985. Part two will discuss the two opposing standpoints put forward by Stepan and Hunter, that I introduced in section 3 in relation to my indicators.

The three indicators

The major decisions relating to my first indicator (civil control procedures) were the creation of the Ministry of Defence in 1999, the National Defence Policy that was introduced in 2003, the National Defence Strategy that replaced it in 2008 and the White Paper in 2011. In combination, this meant that decisions on objectives and overall plans for the military was transferred from the military themselves to the President and Congress. This equals less autonomy for the military and more civilian control. The number of active military personnel in the cabinet dropped from six to zero, which is a clear win for civilianization. However, lately changes in the other direction have taken place. Since 2001 the police are under the command of the military when the military are deployed to "guarantee law and order". Jurisdiction of crimes committed by military personnel, including extra judicial killings has

been transferred to military courts as of 2017 meaning that soldiers are not answerable to civilian courts. This is the same system as during the military regime.

My second indicator concerns how the role of the military has been defined and developed since 1985. In total these changes have increased the role of the military, for example they are now in charge of building roads, peacekeeping missions abroad and maintaining “law and order” in the favelas. Military leaders were happy in the beginning that they had been given new tasks which could mean more resources. But as time went by the discontent of being in charge of public security has increased, and now the army commander points out the need of other measures in order to solve public security issues (Odila, 2017).

My third and final indicator is military expenditures and how have they developed between 1985 and 2016.

Figure 1 shows that military expenditure per capita was 40,5 US dollars in 1988 and in 2016 it was 113 US Dollars. This is an increase of 179 % from 1988 to 2016. This seems to have made the military perceive that they have gained in importance in society.

Figure 2 shows military expenditure as percentage of governmental spending. They have gone down from 4,3% in 1996 to 3,10% in 2016, which shows that congress has in fact given the military less priority.

Figure 3 shows that military expenditure as percentage of GDP went up from 1,4% in 1985 to 2,7% in 1989, and then rather steadily decreased to 1,3% in 2016. Thus it is now 0.1% less than in 1985.

In summary, the first two indicators show that the position of the military first decreased after the end of the military dictatorship, but their position has again strengthen through new task since 2003, and recently also through decreased civilian jurisdiction over military matters. The third indicator shows that due to a strong economic development the military budget has increased substantially, but its part of the total governmental budget has decreased.

Stepan and Hunter revisited

We now have enough empirical data to evaluate the predictions put forward by Stepan and Hunter concerning the military’s influence in Brazil. Stepan predicted that military expenditure would not go down and that civilian control over the military would not be

introduced. Both these predictions were proven wrong in the long run. Civilian control has been introduced and military expenditures have decreased in relation to the total national budget. On the other hand the increased role of the military in the last decade can be seen as evidence in favour of his standpoint that the military has a strong and enduring position in Brazilian society. However the mechanism for this may not be the one that he predicted. For instance it may perhaps have something to do with the public's low confidence in civilian institutions. Surveys have shown that the military is the institution that the Brazilian population has the most confidence in. (Samset, 2014, pp. 14-15). The competition is not very strong.

Wendy Hunter's main argument is that "electoral competition creates incentives for politicians to reduce the interference of a politically powerful and active military, and that broad popular support enhances their capacity to do so" (Hunter, 1997, p. 2). She tried to prove this by pointing at the decline of military expenditures. In terms of both military expenditure as percentage of governmental spending (Figure 2) and military expenditure as percentage of GDP (Figure 3) she has been proven right, but regarding the military expenditure per capita (Figure 1) the trend is actually the opposite.

In summary Hunter's predictions seem to hold for most of the period I have investigated, but the increased role that the military have obtained in the last few years (without an increase in budget) goes against her predictions. Stepan was wrong about most of the period but recent developments can be an indication that he was right after all about the underlying strong position of the Brazilian military.

What we can learn from this is that approaches like those of Hunter and Stepan may be dangerous because they give the impression that everything is already determined. We need to learn from history in order to understand its complexity and unpredictability. The role of the military in the future of Brazil is very unpredictable.

9. Conclusion

My research question is how the role of the Brazilian military has changed since the end of military dictatorship. I have used three indicators to study this question. My analysis based on these indicators is that there are tendencies going different directions.

After the fall of the military dictatorship politicians have built up civilian structures to control the military like in most democratic countries. However, the military in Brazil have a larger role in society than in most other democracies. Most importantly, they have taken over some of the tasks of the police in maintaining terms law and order and fighting criminality. If the military is necessary in order to guarantee public order, then people's trust in the state and its civilian institutions can diminish. The increasing use of the military comes with a risk of strengthening the military's informal power and bargaining positions in politics.

An important step backwards in terms of civilian control, was taken recently, namely the transfer of jurisdiction over soldiers from civilian to military courts. But yet the increased role of the military has not led to a larger share of the governmental budget. All this means that the situation is complex, and no sure predictions can be made.

We will have to wait until next year's presidential election to see what the next chapter of this saga will be.

From a democratic point of view the most important conclusion is that Brazilian politicians should focus more on making sure that the police have the resources and training needed to fulfil its constitutional mandate which is to "preserve public security and the safety of persons and property" (Ribeiro, 2009). More focus should also be put on making other governmental and civilian institutions, such as education and healthcare, better, so that people have more trust in democracy and its institutions. It is difficult to see how Brazil can become a fully consolidated democracy with measures like these.

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11. Diagrams

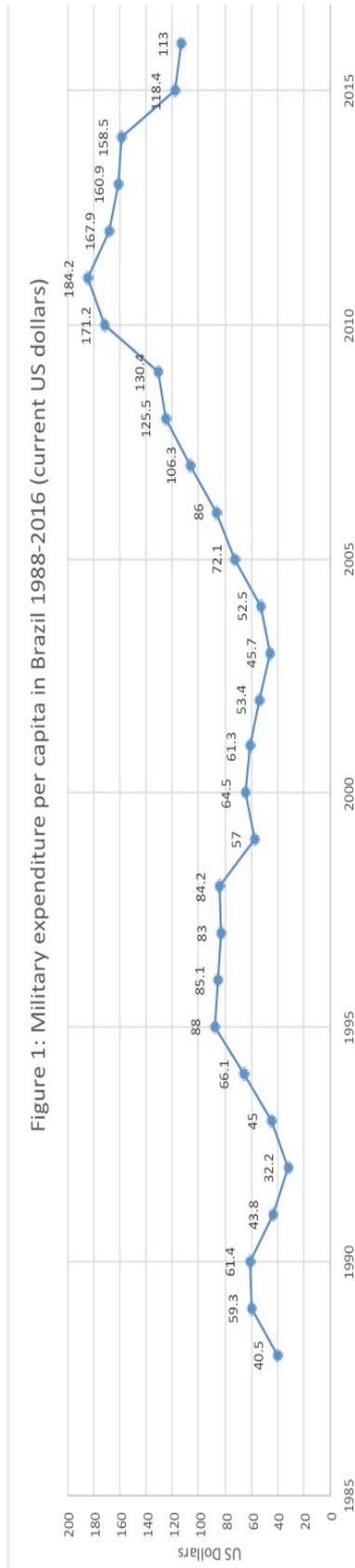
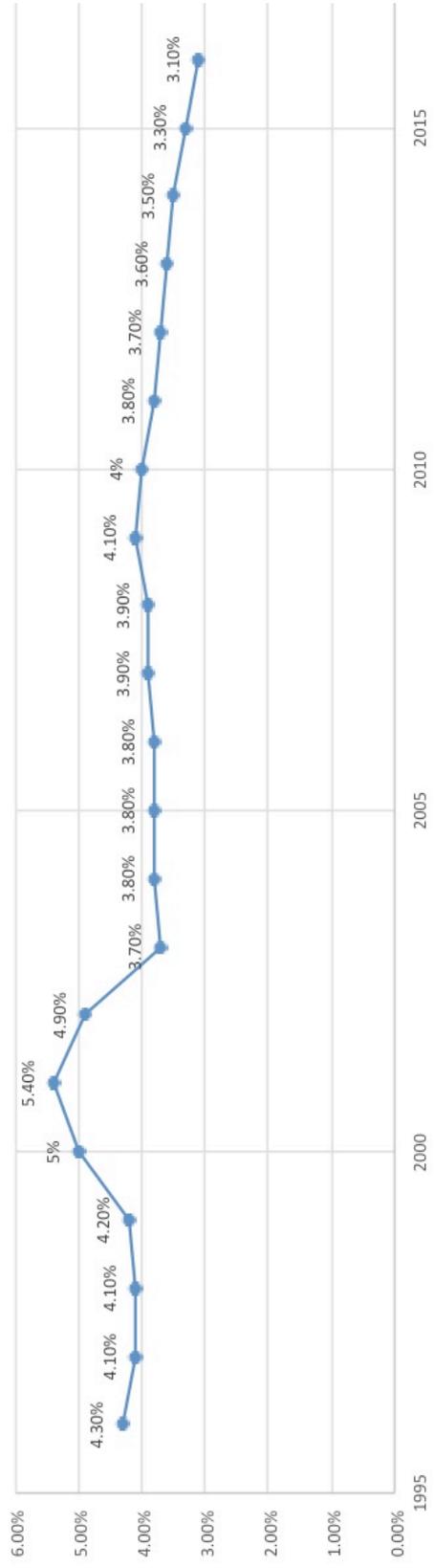


Figure 2: Military expenditure as percentage of government spending in Brazil from 1996-2016.



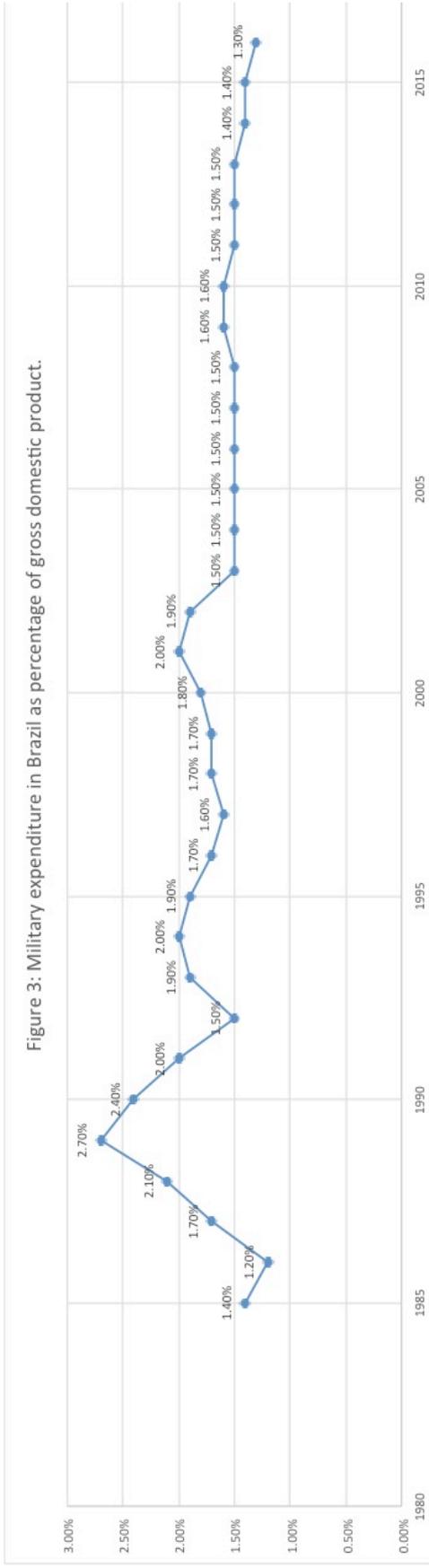


Figure 3: Military expenditure in Brazil as percentage of gross domestic product.