

Brazil's Electoral Court bars fascistic former president Bolsonaro from running for office

Miguel Andrade
7 July 2023

On June 30, Brazil's Electoral Court (TSE) concluded its vote on the first of 16 indictments of fascistic former president Jair Bolsonaro, declaring him ineligible to run for office for eight years.

The trial focused on a meeting called by Bolsonaro on July 18, 2022, with foreign ambassadors in Brasilia, in which he attacked Brazil's electronic ballot boxes and promoted the army as guarantor of the integrity of the electoral process through a "parallel" vote count, independent of the TSE. Bolsonaro categorically stated that it would be impossible to audit the Brazilian electronic ballot boxes, which would disqualify the TSE as an arbiter of the legitimacy of the elections, demanding the intervention of the armed forces.

Bolsonaro was convicted of abuse of political and economic power for electoral purposes, with the TSE finding that the meeting was aimed at using the office of the presidency to mobilize the president's electoral base.

Such a conviction aims to solve, in the most opportunistic, pragmatic and anti-democratic way possible, the intractable crisis of capitalism and bourgeois democracy in Brazil, inextricably linked to the worldwide march of capitalism towards a third nuclear world war. It is as ineffective as it is dangerous.

First, to say that Bolsonaro used the meeting with ambassadors for "electoral purposes" is a gross understatement of what happened. The meeting was part of a long preparation for a coup d'état that culminated in the fascist violence of January 8, 2023, in which his supporters attempted to force, by means of an attack on the headquarters of the three constitutional powers, the intervention of the armed forces.

Moreover, as already shown by the intense political discussions between representatives of Lula's own PT and foreign ambassadors, and stressed again by recent *Financial Times* reports of frantic diplomatic discussions with the US, the diplomatic arena was crucial for the Brazilian electoral dispute. This dispute took place behind the backs of the population, as the main candidates, Bolsonaro and Lula, presented themselves to international capital as the most capable of imposing the austerity required by global war preparations.

Having won, at least temporarily, the trust of its imperialist masters, the PT is now dedicated to rehabilitating the Brazilian political system. It is trying to convince the population that the period of fascist threats vocalized by Bolsonaro was nothing but a flash of lightning in a blue sky, and that everything can return to

normalcy if the former president is removed from what the PT calls the "electoral game." The goal of this political maneuver is to prevent workers from understanding the extent of the fascist threat and its causes in the crisis of Brazilian and world capitalism.

Bolsonaro's electoral ban plays a key role in this process, since it alleges, as the rapporteur of the case at the TSE, minister Benedito Gonçalves, emphasized, that the coup plot was of a merely electoral nature and, most importantly, of a "very personal" character. It thus absolves Bolsonaro's Liberal Party and other key figures, especially within the military, of any role in the conspiracy.

It is significant that the Court unanimously acquitted Gen. Walter Braga Netto, Bolsonaro's running mate and former minister of Defense and chief of staff, based on the allegation that Bolsonaro acted alone in organizing the meeting. In the same fashion, Gonçalves cited the testimony of former chief of staff Ciro Nogueira and witnesses from the Foreign Ministry to emphasize that Bolsonaro acted alone. All claimed opposition to the meeting, which for the TSE reinforces its illegal character while placing the blame exclusively on Bolsonaro.

With the attempt to minimize the seriousness of the coup plot by reducing it to a campaign trail event, the sentence against Bolsonaro sets extremely anti-democratic precedents. Refusing to explain how the meeting secured any specifically electoral advantage for Bolsonaro, rapporteur minister Gonçalves claimed that the electoral impact was irrelevant, so long as Bolsonaro had sought it. This reasoning was endorsed by the majority. A crucial document, the so-called "coup draft" found with Bolsonaro's former Justice Minister Anderson Torres, which envisaged emergency measures to overrule the power of the TSE and establish a provisional military government, was attached to the case and cited without connection to the "electoral impact," since it was clearly part of a much broader conspiracy that the court ignored.

Thus, the political balance sheet of the trial is that a handful of unelected judges revoked the political rights of a presidential candidate based on acts whose impact allegedly cannot be assessed—a precedent that can and will be used even more arbitrarily against the political rights of those who challenge the political system from the left.

Meanwhile, the PT and the bourgeois press celebrated the ruling as the "rebirth" of a post-Bolsonaro right-wing in the country, offering political legitimacy to all of Bolsonaro's co-conspirators.

In a manner which is as utopian as it is politically criminal, the PT's president, Deputy Gleisi Hoffmann, celebrated the sentence as "pedagogical and educational," adding that "the extreme right has to know that in order to participate in politics, it has to be in the democratic process."

The press echoed the triumphant tone of the ruling party, with *Globo* editorializing that the "TSE decision opens the way to the civilized right-wing" and *Estado de S. Paulo* similarly predicting in an editorial "the reinvention of the Brazilian right-wing."

It is undeniable that Bolsonaro's conviction by the TSE judges carries a component of self-defense, given the former president's incitement to attacks on the courts. These were frequently made side-by-side with fascist elements who promised to kidnap and execute the judges, among other opponents of the former president. This is also how one may understand the reaction of the bourgeois fractions represented by the newspapers that celebrate the "reinvention of the Brazilian right-wing" and by the PT itself.

However, all these factions, without exception, fear the Brazilian working class infinitely more than the fascist threat. The Brazilian bourgeoisie is aware that it presides over a social powder keg and one of the most unequal countries on the planet, and that it no longer has any path of development, even if temporary, like the "commodities boom" that momentarily allowed for relief from social tensions during the first PT governments.

Since the economic crisis that propelled the bourgeoisie to oust the last PT president, Dilma Rousseff, from power in the fraudulent impeachment of 2016, the country's ruling class has engaged in a brutal downward spiral of austerity that cannot be imposed by democratic means. The emergence of fascist forces under Bolsonaro's leadership responds to the objective need to prepare for an inevitable and decisive confrontation with the working class.

Far from offering any alternative to this situation, the new Lula government has as its only program the imposition of austerity under the "new fiscal framework." It meanwhile is pursuing a foreign policy aimed at balancing itself between attempts to extract short-term concessions from the European imperialist countries and the United States and maintaining a close relationship with China and Russia.

In this context, the bourgeoisie fears that a full exposure of Bolsonaro's crimes will precipitate a working class confrontation with the entire Brazilian political establishment, including the PT, for which it is not yet prepared. In addition to the election indictments, Bolsonaro is facing investigations for numerous other crimes, particularly those committed during the COVID-19 pandemic. Prosecuting them and eventually convicting Bolsonaro could pave the way for the same to happen to all those who carried out the "herd immunity" policy of putting profits above human lives during the pandemic.

The attempt to resolve the political crisis through the electoral court may further strengthen Bolsonaro himself and the fascist movement he is developing, since the anti-democratic and fragile nature of his conviction will be exploited both to portray him as the victim of a judicial persecution and for him to challenge it.

This attempt also embodies the PT's inability and fear of making any appeal to the working class for support. Instead, it, along with

the ruling class as a whole, seeks to strengthen the bourgeois state, and especially those institutions most shielded from the precarious popular control offered by elections, such as the TSE and the Supreme Court (STF).

Nothing could be more representative of this hostility to the population than the deification of the president of the STF and TSE, Minister Alexandre de Moraes. Appointed to the STF by the successor to the PT's Rousseff in the presidency, Michel Temer, he has been allowed to preside over a "secret" inquiry with no oversight focused on the dissemination of "fake news" by Bolsonaro's supporters.

It was based on these powers, and without any public discussion in Congress, that Moraes ordered the arrest of close aides of Bolsonaro, such as former minister Anderson Torres, with whom police found the plan to nullify the powers of the TSE cited by the rapporteur of Bolsonaro's ineligibility.

Recently, Lula's Justice Minister, the former member of the Communist Party of Brazil (PCdoB), Flávio Dino, declared in a completely demoralized fashion and ignoring the workers on behalf of whom his government pretends to speak, that "if it were not for the Supreme Court, we would be in exile." He added dismissively about Moraes and his "superpowers" that "his decisions have been backed by the full court."

The fascists are fully aware that the measures of Moraes and the courts will not stop their march. It is Brazil's worst-kept secret that Bolsonaro's Liberal Party considers his conviction a political asset, one that can bolster the party's populist appeal by portraying the president as a "victim of the elites."

The fact that Bolsonaro, like Donald Trump in the US and other hated far-right figures around the world, can pose as an opponent of the elites is ample proof of the political bankruptcy of nominally democratic, "progressive" organizations that pretend to speak for the workers, such as the PT. The way forward for the working class in fighting austerity and the authoritarian lurch caused by it is to break with such organizations and mobilize to put an end to the cause of war, austerity, and fascism: the capitalist system.



To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact