WORKING PAPER 5

International Dimensions of Democratisation: Brazil

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Abstract

Unlike neighbouring Argentina, where international factors played a very obvious role in bringing about the demise of authoritarian rule, in Brazil the early period of the transition to democracy seems to have been a comparatively endogenous affair. By contrast, the later period of democratisation, beginning with the presidency of Collor de Mello, has been more open to outside influences.

This chapter outlines some of the reasons why international factors played comparatively less of a role in the early Brazilian democratisation process than in some other countries in Latin America. It also points out, however, that it is unwise to make a very categorical separation between the domestic and international spheres: there is the very powerful influence of the international economic climate, which shapes politics in all Latin American countries and, indeed, globally; and there is the increasingly interdependence between external and internal dimensions, as values, ideologies and external 'exemplary experiences' are part of the outlook of domestic elites as they make political decisions at home.

The chapter then goes on to explore two areas where external influence has been felt since 1990, namely in the field of human rights and environmental politics. Although these two issue areas are far from 'representing' the politics of transition to democracy or democratisation, which are multifaceted processes of political transformation, they are certainly relevant features of both. In the case of human rights, it is arguable that increased respect for fundamental rights – and issue that has presented immense challenges for Brazilian democracy – lies at the heart of a successful process of 'democratic deepening'. Further, both issues have contributed to the organisation and mobilisation of civil society, another vital feature of democratisation, and further, policy-making has changed considerably in these areas, as state authorities have been more willing and open to consultations and cooperative policy implementation with the non-governmental sector.

The paper is divided into five sections: the first briefly outlines the role of external actors in endogenous democratisation processes; the second summarily describes the Brazilian transition process, showing that it was comparatively endogenous, and attempts to explain why this may have been the case by comparison with other countries of the sub-region. The third section looks at the post-1990 period, and at areas in which the external dimension was important – human rights and the environment – and shows how the success of the external dimension in promoting policy reform in these areas owes much to the changed international climate after the fall of the Berlin Wall, which permeated the attitudes of successive democratic governments, leading to a more porous relationship between foreign and domestic policy in key areas. The concluding section examines the Lula government and the influence of outsiders and the international context in Brazil's continuing process of democratic deepening.

I. Democratisation and the International Dimension

The international dimension of democratisation or, put another way, the contribution of international actors to processes of domestic political transformation are tremendously varied in scope and effect.[1] This is a hard subject to study with any degree of accuracy in terms of causality. First, the nature of their role depends on the particular combination of internal and external economic, social and political factors at play, on the foreign actors involved, on the mode of intervention or policies adopted, the relationship between foreign and domestic players, and on the ideological and normative climate of the times. Second, interventions of any kind, ranging from sanctions to quiet diplomacy, are fraught with pitfalls and success often depends on the qualities of leadership and other unpredictable factors. Third, it is equally hard to say, in hindsight, which variables were fundamental catalysts for change. And finally, it is increasingly difficult to separate the domestic from the external given economic internationalisation and the 'transnationalisation' of domestic actors (or 'domesticisation' of international actors). As Milner notes, "international politics and foreign policy become part of the domestic struggle for power and the search for internal compromise."[2]

The consensus is that international actors play a secondary and supportive role at best, as domestic players are dominant (although as various socio-political and economic trends that promote increasing interdependence and increasingly interweave domestic and foreign dimensions means that this affirmation will likely shift and change over time. This consensus was not always the dominant view. Older structural theories, such as modernisation theory and its critical riposte – neo-Marxist dependence theory – posited a much stronger

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[1] One of the first such studies was undertaken by one of the inaugural speakers of this conference, Laurence Whitehead, in his essay, 'International Aspects of Democratisation', in: Whitehead, Schmitter, O'Donnell (eds), *Transitions from Authoritarian Rule: Comparative Perspectives* (Baltimore: Johns Hopkins University Press, 1986), pp. 3-46. For a fuller treatment of the literature on the issue of democracy promotion see my 'Democratisation and International Actors: Some Thoughts for the Arab World', forthcoming as a *EuroMesCo Network Publication*, IEEI, Lisbon.

[2] Helen V. Milner, *Interests, Institutions, and Information.* (Princeton: Princeton University Press, 1997), p. 11.

causal relationship between economic conditions and political outcomes. Although ideologically very different the idea is that international economic conditions and structures shaped overwhelmingly 'pre-requisites for democracy'. This economic-structural approach was challenged by more political analyses, focused on actors, political systems, laws and institutions, and the ideologies that 'surround' actors. Rather than emphasising 'inevitability', these studies give wider berth to choice, affirming the relative autonomy of the political sphere.[3] Given the myriad variables that go into making up a process of regime change, and given the essential uniqueness of processes in each country, one of the features of attempts to categorise 'transition types' or 'paths to democratisation' is that they often end up creating less a typology than an immense list of possible dynamics for political change. Transitions occur in any number of ways and involve a variety of factors, actors and involve multiple causalities. Hence the relevance of a highly abstract approach like that adopted by Dahl, whose maxim is that "the more the costs of suppression exceed the costs of toleration, the greater the chance for a competitive regime."[4]

Among the factors that may lead a regime to determine that the costs are too high is a change in the international context or the changed attitudes and action of international actors. As far as states or governments are concerned, the general consensus is that their role in effecting political change abroad is limited but far from irrelevant. On the positive side, there is now greater acceptance of 'interventionism' by foreign states, particularly where human rights and democracy are concerned, than there was in the past. Thus, domestic opposition forces may opt to ally themselves with foreigners to achieve certain results in a way that in more nationalistic and non-interventionist times would have immediately disqualified them as being legitimately able to represent 'the people'. There are various 'openings' that can be taken advantage of by committed 'foreign democrats': the 'politics of outrage' at gross violations is an example. Sometimes the financing of a single action can make all the difference,

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[3] Early studies by Linz and the groundbreaking volume by Guillermo O'Donnell, Philippe Schmitter and Laurence Whitehead, *Transitions from Authoritarian Rule*, (Baltimore: Johns Hopkins University Press, 1987) are cases in point.
[4] Robert Dahl, *Polyarchy*, p. 15.

acting as a catalyst for change.[5] Sometimes "local perceptions as to what the reaction of an external actor might be can have an even stronger impact than a specific action per se. Thus, the symbolic aspects of the language and practises of international politics becomes particularly important".[6] Foreign actors "may affect the development of internal political and economic conditions either by specific actions or by omission"[7] Indeed, states can often shift the balance of power just by ceasing to give support to authoritarian regimes.[8]

However, too much optimism is not advised. Even in a case of great asymmetry of power – as between the US and the Central American republics – "in almost all cases the democratic or civilianising trend was the result of internal factors; it was not the result of external factors such as US policy."[9] The rule of thumb is that there is not much of a rule of thumb: the success or failure of foreign intervention depends on myriad local factors that may be unpredictable, not only for the outsider but also for those directly engaged in reform processes at home. As Carothers argues, states should assume they have relatively little influence, and conflicting policy goals may render policy ineffective or even produce more violence and instability. Further, while democratic development is a slow precarious process, riddled with setbacks and uncertainties" requiring consistency, and sustained attention and financing, "long-term, steady implementation and funding is rarely a feature of US foreign policy for a variety of reasons, including the tendency for new administrations to try to re-invent the foreign policy wheel and the short attention span of the US government and the US public."[10] The US does not have a monopoly on this

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[5] The best example I can think of is the NED financed electoral monitoring of the Chilean plebiscite in 1989. It is widely believed that had the results not been available to external monitors, and had not Air Force General Matthei declared the opposition win on the basis of those monitored results, Pinochet was prepared to declare himself the winner. That defeat was the beginning of the end of the regime.

[6] Alicia Frohmann, 'Chile : External Actors and the Transition to Democracy ', in: Tom Farer, *Beyond Sovereignty: Collectively Defending Democracy in the Americas* (Baltimore: Johns Hopkins University Press 1996), p. 248.

[7] Ibid., p. 248

[8] Sara Steinmetz, *Democratic Transition and Human Rights: Perspectives on US Foreign Policy* (New York: State University of New York Press, 1994). This volume surveys the impact of US policy on human rights in Iran, Nicaragua, and the Philippines.

[9] Thomas Carothers, *In the Name of Democracy: US Policy Toward Latin America in the Reagan Years* (Berkeley: University of California Press 1991), p. 250.

[10] Ibid., pp. 258-259.

failing, which is shared by all potential and actual 'democracy promoting' democracies.[11] The same kinds of lessons apply to political conditionality applied by states, whereby aid and other assistance is conditional upon respect for democratic governance and human rights standards. As noted in one study: "sustaining democracy...is neither a quick nor cheap endeavour. The role that conditions attached to aid plays is at most quite modest. However, aid that provides support and is accompanied by information and advise based on relevant expertise and experience can make a contribution..."[12]

Another actor in 'democracy promotion' is the non-governmental organisation (NGO). The number of NGOs dedicated to the promotion of democracy and other democracy reinforcing activities abroad, such as human rights, peace mediation, development, humanitarian relief, women's and children's rights, labour rights, sustainable development, poverty, and many others, has increased dramatically over the last two decades in particular. Never before has 'civil society' been so involved in contributing to change and reshape the political destinies of far-off polities as today. Analysts studying such organisations came up with the designation 'transnational actors' to denote any persons or groups participating in international relations outside their own country and autonomously from their government.[13]

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[11] Although he cautions against policy inconsistency, Diamond has a more sanguine view of the capacity of the US and international actors to defend or promote democracy. Larry Diamond, 'Promoting Democracy', *Foreign Policy* 87, 1992, pp. 25-46. In his view, the most important way that states can contribute to democracy is by bolstering economic reform with special aid, loans and even debt forgiveness. Larry Diamond, 'Democracy in Latin America: Degrees, Illusions, and Directions for Consolidation', in Tom Farer (ed), *Beyond Sovereignty*, op. cit., pp.102-103.

[12] Joan M. Nelson and Stephanie J. Eglinton, 'The International Donor Community: Conditioned Aid and the Promotion and Defence of Democracy', in: Tom Farer (ed), *Beyond Sovereignty*, op. cit., p. 186. For a full analysis of political conditionality as applied by the EU and its democracy and human rights promoting instruments see Alexandra Barahona de Brito, '"A União Europeia e o MERCOSUL: A promoção da democracia e dos direitos humanos', in: A B. Brito et. al., *Além do comércio: As relações entre a União Europeia e o MERCOSUL* (Lisbon: IEEI 1997).

[13] See Robert O. Keohane and Joseph S. Nye (eds), *Transnational Relations and World Politics* (Cambridge: Harvard University Press 1970); Peter Willetts (ed), *Pressure Groups in the Global System: The Transnational Relations of Issue-Orientated Non-Governmental Organisations* (London: Pinter 1982); Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics*, (Ithaca, NY: Cornell University Press, 1998).

Activists in transnational networks use symbolic politics (as when organising protest against the celebrations of the 500th anniversary of Columbus's 'discovery' of America), moral and material leverage politics (as when votes in international organisations, money or other goods are conditioned or there is a 'mobilisation of shame' by submitting certain states to special scrutiny), and accountability politics (using as a best example the use that human rights NGOs made of the human rights chapter in the 1975 Helsinki Accords to press for accountability in the former Iron Curtain countries). The influence of these actors is felt at various stages, starting with issue creation and agenda setting, followed by influence on the discursive position of states or international organisations, shaping institutional procedures, influencing policy in target countries or actors, like multinationals or the World Bank, and shaping the behaviour of states.

It is difficult to determine the net impact of the efforts of such groups on democratisation. The extremely varied origins, nature, modus operandi, objectives, financing and legitimacy of these organisations makes it difficult to make blanket judgements. As Keck notes: "because the networks are not the only reform minded actors engaged, exact attributions of influence are difficult." Indeed, "evaluating the influence of networks is similar to evaluating the influence of sanctions, about which there has been considerable study and much disagreement. As in the sanctions literature, we must look at characteristics of the 'target' and of the 'sender' or 'source', and at relations between the two." Further, because "a network as a sender is not a single actor like a state, but a multiple actor, its influences is even more difficult to trace." In short, it is difficult to establish causalities and therefore hard to pin down exact contributions. And it is also important to note that: "for almost all transnational campaigns, how the issue of nationalism is engaged is crucial to achieving issue resonance." How open a 'target' country is, whether it has what can be called a defensive nationalism or what we can call an open patriotism, is crucial. As with states and all other international actors, the success of outside intervention depends on how the latter works itself into the changing fabric of domestic dynamics, values and structures. Such networks are also most effective in these various areas and at these different stages when the issues at stake are

normative ones, and when they are able to create a 'causal story', which establishes victims and guilty parties. The clearer the causal chain, the better the public response.[14] This leads one to conclude that such networks are not ideal to promote democracy, as this is a complex aim with few 'innocents' or 'guilty parties'. They are better suited to press for specific changes, like ending a policy of systematic torture. However, it is also true that it is often a symbolic case of injustice that triggers off domestic reform and liberalisation movements. Insofar as this is true, advocacy networks can act as triggers for change. In sum, there are indications that transnational activism works in some instances: as will be shown below, in the case of Brazil, it had an impact on environmental and human rights policies of democratic governments.

International organisations can also play a positive role in promoting democratisation. The recent experience of the UN in 'nation-building' in East Timor is a case in point. However, the contribution of institutions made up of states is often too ambiguous for a clear judgement to be made: for every East Timor there is a Somalia. A good example is the OAS democracy defence regime, which responded to anti-democratic action in Haiti (1991), Peru (1992), Guatemala (1993) and Paraguay (1996). Despite early optimism about the strength and power of such mechanisms, the results have not been very encouraging: "It seems that national democratic elites have not yet fully understood to what extent their future is linked to the protection and promotion of democracy in other countries. As a result, the OAS expresses a vision of national interests that limits its potential."[15] The more recent struggle of the OAS with Venezuela suggests that the system works best when unpopular golpistas threaten democracies; when anti-democratic forces are popular or when civil societies lacks the will or means to resist them, the OAS is not in a position to become a substitute actor. In other, more modest, ways the OAS has been useful. One example is the work of the Unit for Democratic Promotion (UPD) of the OAS established in 1990 has facilitated the expanding role of

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[14] Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders*, op. cit: in order of appearance: 22-24; 25; p. 161 (my emphasis); pp. 202-203; p. 203; p. 202 (my italics); p. 27.
[15] Domingo E. Acevedo and Claudio Grossman, 'The Organisation of American States and the Protection of Democracy' in: Tom Farer (ed), *Beyond Sovereignty*, op. cit., p. 149.

organisation in electoral monitoring programmes. The same can be said for the work of various international agencies.

Thus far, the focus here has been on different kinds of actors. However, it is hard to separate the action of individual actors like states and NGOs, say, and the general international climate or zeitgeist. The permeation of a climate of values, and the influence or diffusion of models, ideologies and political attitudes are as, if not more, powerful as individual interventionist acts by specific actors. It can be said that "the most important external factor in a democratic transition is an international context that requires competitive, representative, and participatory democracy as the basis for [a] country's participation in the international system.[16] All three categories of international actors cited above have shaped and been shaped by an international climate that is more propitious for domestic democratisation efforts today than it was twenty years ago. In sum, although 'climate change' or zeitgeist are not measurable and are therefore difficult to insert into causal models, it cannot be underestimated.[17] It is perhaps the single greatest contributor to empowering the international dimension of democratisation.

Perhaps the most important climate change has been the collapse of the Communist bloc. The end of the Cold War led to a waning of ideological support by the US for 'friendly' authoritarian regimes, helped to reduce anti-communist fears in many countries, and opened up prospects for liberalisation and democratisation. The weakening of domestic communist parties with the 'divine

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[16] Alicia Frohmann, 'Chile', op. cit, p. 256. George Joffé makes a similar point when he refers to the importance of 'habits of mind', a Tocquevillean phrase, and political culture, as this must contain the intellectual and cultural conviction necessary for democracy to take root. George Joffé, 'The International Dimension of Democratisation: Muslim Countries', in this volume.

[17] A model such as that adopted by Philippe Schmitter in his chapter in this book will find it difficult to take this variable into account. Indeed, his findings suggest that the amount of money spent on what is called DPP is a crucial variable. However, the amount of money spent may itself be a function of a country having attained a symbolic status in DDP activities, such as Chile and South Africa were in the UN and for the transnational NGO community in the 1960s and 1970s. It is hard to know whether it is the money that makes the crucial difference, or this 'special status'. Likewise, given the immense pull of the EU, this variable would have to be tested by making separate assessment for EU neighbours that are the object of DDP, and those countries that are far away from the EU and primarily subject to US DDP efforts. See Philippe Schmitter, 'Connecting Democracy Promotion and Protection with the Theory and Evaluating its Impact Upon the Practise of Democratisation', in this volume.

surprise[18]' of the fall of the Berlin Wall and its salutary effects on the right's democratic inclinations is clear in various Latin American countries, for example. But this climate change has not just been negative (the absence of the communist threat) but also positive: in the ten years following the fall of the Berlin Wall the international climate was changed by the values and practises of five main, interdependent, forces: a shift in values, a communications and technology revolution, economic globalisation, the emergence of a global civil society, and wide-ranging institutional transformations. All of these trends were in place before the fall of the Berlin Wall, but they gained new power and visibility thereafter.

The first, a values shift, expresses itself in the spread of a human rights discourse, which "has narrowed the gaps between state and society, and between state and world, by providing a common normative currency that is exchanged by government, international institutions and civil society"[19], as well as in the spread of human rights law, norms and institutions. This shift is also apparent in the spread of democratic values and practise in various regions. Democracy creates space for civil society organisations to form and hook up with international actors; it also allows the media to raise the profile of otherwise 'invisible' non-state actors.[20] Another shift concerns our concepts of sovereignty. Human rights and humanitarian considerations have become increasingly legitimate concerns of the international community, breaking down previously stricter sovereign boundaries. The ratification of human rights treaties and regional 'democracy protecting' regimes are other forms of concession of sovereignty (to treat ones citizens as one pleases), as is the emergence and reinforcement of regimes of conditionality. Conditioning development by respect for human rights and democratic governance constitute

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[18] Schmitter's happy turn of phrase, in ibid.

[19] Richard Falk, *Human Rights Horizons: The Pursuit of Justice in a Globalising World*, (London: Routledge 2000), p. 54.

[20] In 1974 41 of the then 150 existing states were democracies; since then, half of the remaining 109 have become democratic. Three quarters of the 45 new states created since 1974 became democratic. Most of these democracies have remained so (in 14 of the 125 democracy broke down, but was later restored in 9). As for freedom, according to the Freedom House index, in 1973 there were 63 non-free, 43 free, and 38 partly free countries; in 2001-2002, 121 out of 192 governments were electoral democracies, and 48 non-free; comparable figures for 1987-88 were that 66 of 164 countries were electoral democracies. See www.freedomhouse.org..

sovereignty-limiting mechanisms in inter-state relations, and an admission by states that sovereignty cannot be absolute, particularly where human well being and core values are concerned. A good example of this is the growing panoply of Latin American 'defence of democracy' instruments'.[21]

Changing view of sovereignty has been shaped by the second climate change: economic internationalisation or globalisation. This is challenging the idea that states can act in isolation. The implications for sovereignty of global free trade are profound. Global trade and investment calls for a degree of stability and predictability that demands the establishment of common 'game rules.' This has entailed a 'quiet revolution' affecting national sovereignty at every turn. Such rules create obligations that limit the scope for ad hoc sovereign decisions by national governments. Once a participant in global trade and investment networks, a government cannot violate rules without paying a potentially very high price. The interlocking effects of economic and financial globalisation have been complemented and reinforced by regional integration, which itself largely a response to the competitive challenges posed by that phenomenon. In the EU, the attempt to remain competitive has even entailed the abandonment of control over exchange rate policy, one of the key manifestations of economic sovereignty, and has even led to the substitution of centuries old national currencies for a new 'supranational' one.

The third aspect of climate change is the emergence of the international activist networks whose contribution is outlined above. The challenge posed by cross border activism working in areas as diverse as poverty, the environment, corruption, drug and people trafficking, weapons of mass destruction, human rights, culture, education, professional associations, religious ecumenism. They have emerged not only because there are 'free civil societies' on a global scale never witnessed before, but also because there are international norms to which they can appeal. There are many examples of the powerful roles played by such

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[21] In addition to the defence of democracy regime of the OAS, there is the 'democratic clause' of the MERCOSUR (1996), NAFTA related human rights hearings on Mexico in the US Congress (1990, for the first time), the FTAA link between democracy and respect for human rights with free trade, and the democracy clause of the Rio Group (which led to the suspension of membership of Panama and Peru).

coalitions in prosecuting human rights violators, promoting the rights of women, protecting the environment, fighting poor labour conditions within multinational companies, and working towards the banning of landmines, all across borders.[22] These efforts have been immensely assisted by a fourth change: the revolution in communications technology. It has been both a generator and facilitator of a global civil society committed to right and democracy. It means that conditions in once remote countries can be immediately brought to light for an immense global public and human rights or other kinds of campaigns become immediately accessible to a huge global public. One can sit in an office in Cascais, and just by surfing the net find out what is happening in a jail in the Sudan. The power of the immediacy of this kind of information is immense.

Finally, there have been institutional changes that reflect all or some of the above shifts. The 1990s also saw the first attempt since 1945, to bring grave human rights crimes to justice with the International Criminal Tribunals for the Former Yugoslavia (ICTFY) and Rwanda (ICTR). A permanent international criminal Court was established in 2003, indicating a clear permanent rather than just ad hoc concern of the international community with gross violations. The GATT was transformed into the WTO, which projects the global ambition to create global rules and regulations for trade and even for social and environmental issues that are affected by trade patterns and conditions. And the UN has shifted from a peacekeeping role to undertaking more ambitious settlements and nation-building activities, as in Angola, Western Sahara, Cambodia, Rwanda, Mozambique, and El Salvador, and in humanitarian and peace enforcement in the former Yugoslavia, Haiti, Somalia, East Timor and Afghanistan.

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[22] Naomi Roht-Arriaza, 'The Role of International Actors in National Accountability Processes', in: Alexandra Barahona de Brito, et al., (eds), *The Politics of Memory: Transitional Justice in Democratising Societies*. (Oxford: Oxford University Press, 2001), pp. 40-64.

All of the above indicates that there is a nascent – albeit hotly contested – universal jurisdiction in place and it is now considered more legitimate for the international community to intervene to establish peace or to seek justice. This makes us look differently at the links between international action and the nation state: "as the clarity of statism recedes in an era of globalisation, the essential character of sovereignty becomes more and more elusive and subject to re-negotiation by the play of political forces, moral attitudes and prevailing perceptions.[23] This climate change means that national political contexts are much more permeable to the influence of outsiders, most particularly when it comes to normative issues, including the establishment and deepening of democracy.[24]

To sum up, international actors can play an important role in transitional processes: they can create a positive climate for change, they can act as catalysts for change. The instruments at the disposal of the international community are well-known quiet diplomacy and more aggressive diplomatic pressure, conditionality regimes, which includes not only conditioned development or military assistance, but also the 'positive' conditionality that the EU imposes on states aspiring to membership of that community, targeted assistance for elections or civil society groups for example; normative advocacy, or the 'politics of shame', which includes denunciations of torture, imprisonment or disappearance; military interventions, sanctions, various kinds of economic, financial or political carrots, such as loans and membership of international institutions, among others. The evidence suggests that, all things being equal, the kinds of interventions that are the most likely to successful are those that combine pressures from all sources: interventions that are multilateral (involving various states) and multidimensional (involving various levels of action). As Palmer says about Peru, a "combination of human rights organisation lobbying and US government initiatives may well have contributed

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[23] Richard Falk, *Human Rights Horizons*, op. cit, p. 70.
[24] This section of the chapter is drawn from previous work, namely: *Setting Global Rules: A Report of the V Euro-Latin American Forum.* (Lisbon: IEEI 1998), co-written with Álvaro de Vasconcellos; 'The Europeans, the Chileans and their General: An Unfinished Tale' *Revista Estratégia*, Lisbon 1999; 'The Pinochet Case and the Changing Boundaries of Democracy' in: Madeleine Davis, The Pinochet Case (London: ILAS, 2003).

to the sharp reduction in Peruvian government abuses in 1993 and to the Fujimori regime's growing willingness to investigate past violations by its military and police forces.[25] Multilateral interventions allow the international community to draw on a wealth of expertise and experience and are generally perceived as the most legitimate (multi-nationality of forces has been crucial for the perception of neutrality of UN peacekeeping forces, for example). The evidence also suggests that pressure works best when there is already an endogenous movement and desire to liberalise or democratise: "the assistance of external players has seemed most significant when it has come in response to a domestically inspired effort at political transformation."[26]

Finally, whether a process of democratisation is influenced – positively – by international actors or has a strong international dimension depends a lot on the international climate in place. The zeitgeist, which is more than the sum of the parts, more than the combined action of all kinds of actors, counts a great deal. It may become 'internalised' and part of the thinking of new governments. Indeed, while it is safe to say that international actors play a secondary role in domestic processes of political change – that individual states, policies or NGOs or international multilateral agencies are essentially secondary players – it is harder to affirm this when one takes the whole set of international activities and, particularly, the wider international setting and zeitgeist. This is certainly the case of Brazil, where climate and conditions play a much greater role that individual policies or interventionist acts.

II - **The Brazilian Transition and Democratisation Process**

Brazil underwent one of the most protracted transition processes on record. It began as early as 1974, and ended in 1990, with the direct election of President Fernando Collor de Mello. The reasons for the military to leave power were varied, but two stand out in particular: a perception that institutional survival

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[25] David Scott Palmer, 'Peru: Collectively Defending Democracy in the Western Hemisphere' in: Tom Farer (ed), *Beyond Sovereignty*, p. 275 (my italics).
[26] Anita Isaacs, in *Beyond Sovereignty*, op. cit., p. 278.

required an exit from power (though the establishment of a sympathetic civilian regime). Thus, in 1974, the then new president, General Ernesto Geisel began to seek out civilian allies to "check the growing autonomy of the security community, which [he] considered dangerous for the military-as-institution and unnecessary because all guerrilla movements from the left had been destroyed."[27] Second, there was the loss of support from the elites and the middle classes, as the so-called 'Economic Miracle' came to an end: " the Brazilian military were no longer sailing with the economic winds, as in 1968-1972, but instead, by 1981-1982, against a gale of economic adversity. Worse, they appeared to have no clear strategy as to how to surmount the most severe economic crisis in the country's history".[28] Thus, in addition to institutional survival, there was the perceived need to 'widen the base of support' for the regime' in the aftermath of the Miracle. [29]

It should be said that decisions were also influenced by outside references, or regional comparison: the Argentine defeat in the Malvinas (1981-1983) and the civil-military negotiations in Uruguay for a transition pact following a military defeat in a plebiscite proposing a prolongation of military rule (1980-1984) encouraged the Brazilian military to believe that continued resistance to civilian rule was unadvised. In sum, the 'triggers' for transition were endogenous (military considerations and internal opposition pressures) and – only secondarily – exogenous (a change in the national economic environment, which was at least partly caused by changing international conditions, and negative neighbourhood examples). Perhaps even more important was the powerful influence of the Spanish and Portuguese transitions from authoritarian rule: the first taking place in 1975 and the latter a year earlier. The

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[27] Juan Linz and Alfred Stepan, 'Crises of Efficacy, Legitimacy, and Democratic State 'Presence': Brazil', in: Linz and Stepan (eds), *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe* (Baltimore: Johns Hopkins University Press 1996), p. 168.
[28] Ibid., p. 56-57.
[29] Thomas Bruneau, 'Brazil's Political Transition', in: John Higley and Richard Gunther (eds), *Elites and Democratic Consolidation in Latin America and Southern Europe* (Cambridge: Cambridge University Press 1992), p. 260. See also Luciano Martins, 'The Liberalisation of Authoritarian Rule in Brasil' in: Guillermo O'Donnell, Philippe Schmitter and Laurence Whitehead (eds), *Transitions from Authoritarian Rule: Latin America* (Baltimore: Johns Hopkins University Press 1986), pp.72-94.

desire to avoid a Portuguese style transition, where the old regime practically collapsed by inadvisedly clinging to unsustainable domestic and foreign policies and was followed by a period of intense left-wing radicalisation, and the more positive example of the Spanish transition, were certainly 'internalised' by military actors in their calculations about how best to proceed with a Brazilian liberalisation and transitional process. In fact, it is important here to distinguish between the zeitgeist described above, which has 'global dimensions' and more area specific zeitgeists, which may differ somewhat in direction from the wider climate. In the case of Brazil, the examples of Portugal and Spain may have been more relevant than those of Argentina and Uruguay: they showed for the first time how the only alternative to authoritarianism was not a Castroite revolution, and thus opened the way for liberalisation. With liberalisation taking place in the midst of what was then still a particularly raw period of the Cold War, this micro-climate may have been more influential than the global climate when the initial decision to liberalise – and how to go about it – was aired and adopted. In other words, it is important to distinguish between the international dimensions that are global and those that are regional in scope.[30]

Despite these external influences, and if one discounts the obvious relevance and very powerful influence of economic conditions in shaping political decision-making, there is nonetheless, comparatively, a relative 'anonymity' of a political international dimension in Brazil when compared, say, to Chile. Why was this the case? First, there is the unfailingly cited continental dimension of the country, which has the tenth largest economy in the world. The self-perception of greatness (both symbolic and more literally in terms of sheer size), and the unfettered faith in progress (the Comtean *Ordem e Progresso*) permeates the country's behaviour not only on the wider global stage but also in the immediate neighbourhood (although this sense has produced different policy choices towards the latter: back-turning and competition in the first

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[30] I owe this insight to comments made at the IPRI Óbidos conference made by Laurence Whitehead.

instance, and cooperation with constructive leadership in the second).[31] The explanatory power of the historical-cultural factor is weak in causal terms, but strong in the sense that self-perceptions create a disposition, which colours and gives 'attitude' to politics. Brazil is a sort of US of Latin America, and like the US is can afford to 'ignore' the world in a way that other countries of the region cannot. This is not to say that Brazil is isolationist, but rather that is has such immense reserves of a sense of unique 'self-identity' that this can often make the experiences of its immediate neighbourhood in particular seem distant: hence the mitigated impact of the so-called contagion effect.

A second reason for this relative anonymity has to do with the nature of the party system. This comes across quite well if one compares Brazil with Chile. A fundamental reason for the immense importance of Chile for the international community – and if there is any example of a transition in which the domestic and external dimensions are almost incestuous it is the Chilean[32] – is the fact that Chile's main political parties belong to larger political families: the Socialist International and the Christian Democratic International. By contrast, none of Brazil's parties, with the exception of the silenced Communist Party, were thus connected. This isolation from international 'brotherhood' meant that political parties were more self-referential (in national terms) and, concomitantly, that international party political actors were less inclined to get involved with Brazil.[33] Indeed, the problem is not just one of lack of links to the outside, but the fragmented and fragile nature of the party system as a whole, and the

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[31] As reported by *The Economist*, "...Brazil also sees itself as a "whale", with the heft and appetite to act on its own. Mr Amorim's answer is that, in a world likely to be dominated by blocks, Brazil's best option is to co-operate as much as possible with its neighbours and other developing countries. Whales, he notes, "are gregarious animals". "A Giant Stirs", *The Economist*, 10 June 2004.

[32] In Chile, "influence from abroad seldom took the form of direct political or economic pressure [...] however, historically the Chilean political system was strongly influenced by external policy models and many international trends." Alicia Frohmann in *Beyond Sovereignty*, op. cit, pp. 238-239.

[33] For an examination of the influence of political party internationals see: Laurence Whitehead, 'International Aspects of Democratisation', in: Guillermo O'Donnell, Philippe Schmitter and Laurence Whitehead (eds), *Transitions from Authoritarian Rule: Comparative Perspectives* (Baltimore: Johns Hopkins University Press, 1986), pp.25-31.

virtually wholesale disappearance of pre-1964 parties during military rule and their replacement by new electoral vehicles.[34]

A third explanation also comes to life when placed in a comparative perspective: Brazil's civil society organisations were much less 'internationally connected' than some of their counterparts in other national contexts. Further with the exception of the business and economic elite (which includes more inwards looking ISI beneficiaries as well as business interests linked with multinational and exporting interests, which are more outward looking) and the unions (repressed under military rule and linked to a sui generis Workers Party with no international affiliations), civil society organisations were few and far between. The case of human rights illustrates this. In contrast with Chile, where human rights organisations emerged simultaneously with repression, in Brazil repression began in 1964 and the first organisations only appeared in 1972.[35] Further, when they did emerge, none were as well known abroad as organisations such as the Vicaría in Chile, or the Madres de la Plaza de Mayo in Argentina. They lived in relative international isolation.[36] In contrast with the present situation, in which NGOs have a great deal of influence in certain public policy arenas and in which the links between domestic NGOs and foreign ones are very extensive and intense, during the period of liberalisation and early democratisation NGO influence was negligible on the political process as a whole.[37]

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[34] Scott Mainwaring, 'Brazil: Weak Parties, Feckless Democracy', in: Scott Mainwaring and Timothy R. Scully (eds), *Building Democratic Institutions: Party Systems in Latin America* (Stanford: Stanford Unviersity Press 1995), p. 354. For Brazil's political system and parties see also Frances Hagopian, *Traditional Politics and regime Change in Brazil* (New York: Cambridge University Press 1996).

[35] Brazil is not alone in this, and in a sense Chile is the exception to the rule. However, this is one of the explanations for the lack of international influence over the Brazilian transition. For these dates see: Edward Cleary, *The Struggle for Human Rights in Latin America* (Westport, Connecticut: Praeger 1997), p. 66.

[36] The exception to this general rule is the extraordinary story of the compilation of the *Nunca Mais* report, which involved national and international church organisations, chronicled in Weschler, Laurence (1990). *A Miracle a Universe: Settling Accounts With Past Torturers.* (New York: Pantheon Books), and my 'Truth, Justice, Memory and Democratisation in the Southern Cone', in: Alexandra Barahona de Brito et al (eds), *The Politics of Memory* (Oxford: OUP, 2002).

[37] According to *Veja*, by the end of 1993, 'social-cause NGOs had doubled in two years" to 5,000. These organizations, working on a variety of social causes were then receiving an estimated 700 million US dollars per year, of which an estimated 400 million came from abroad. Veja 1326, 9

Further Brazil never became an international 'cause célèbre' like Israel, Argentina, Chile and South Africa were for the nascent human rights monitoring institutions of the United Nations in the late 1960s and particularly the 1970s and 1980s (although Amnesty International heroically reported on torture and other violations from the get go). This is a result of various factors: the comparatively low level of repression compared with all of the abovementioned countries; the success of the Brazilian diplomatic corps in deflecting any attempts to bring the country under official scrutiny. In a sense, Brazil was the rule rather than the exception in this regard. Most countries where violations were taking place did not become an internationally notorious case like South Africa or Chile.

Finally, the military were very successful at controlling a gradual process of exit from power. The "abertura entailed a dialectic between regime concession and societal conquest in which the architects of the initial opening attempted to define the content and delimit the boundaries of liberalisation."[38] There was mass civil society mobilisation in 1984 in favour of direct elections for new civilian authorities, but the military preference for indirect elections prevailed, and José Sarney, a member of the pro-regime party, ARENA, became the first civilian president of the new democracy.[39] Sarney meant continuity and economic, political and social disarray, a "hyperactive paralysis" in the words of Bolívar Lamounier:[40] the economic crisis (with the debt crisis and the failure of economic heterodoxy) and lack of popular legitimacy of a government intent on a failed economic experiments made it impossible to establish the bases for more stable, routinsed forms of power mediation and for deeper democracy. The passage of the 1988 Constitution marks the beginning of what was to be a

February 1994, pp. 70-77, cited in Edward Cleary, *The Struggle for Human Rights*, op. cit., p. 67-68 and 82.

[38] Alfred Stepan, *Rethjnking Military Politics*, op. cit, p. 45.

[39] Tancredo Neves actually won the elections, but he died before taking office. For more information about the Brazilian transition process see: Alfred Stepan (ed), *Democratising Brazil: Problems of Transition and Consolidation* (New York: Oxford University Press, 1989).

[40] See Bolívar Lamounier, 'Brazil: The Hyperactive Paralysis Syndrome', in Jorge I. Dominguez and Abraham R. Lowenthal (eds), *Constructing Democratic Governance: South America in the 1990s* (Baltimore: Johns Hopkins university press 1996), 170-171.

break with this period and of greater openness to outside influences under Collor de Mello.[41]

The situation began to change after 1989, when the influence of external factors becomes more apparent. It is somewhat artificial to make such a break, as the seeds of an external presence are felt before 1989. Nonetheless, it is possible to say that the transition and early democratic period contrast with the subsequent period of 'democratisation' proper in terms of the level of international influence over key domestic themes. It is quite clear that with the coming to office of Fernando Collor de Mello, Brazil seems to get in with the new 'zeitgeist' or post-Berlin Wall international climate and become more open to outside influences.

It is useful here to examine the country's changing foreign policy under democracy, as this is very revealing of the 'internalisation' of the new normative climate, albeit with a Brazilian twist. FCM took office as the Berlin Wall fell, and his new policy marked a break with the past: an abandonment of protectionism and the promotion of economic liberalisation, a commitment to 'international insertion'[42] and a desire to avoid marginalisation,[43] greater acceptance of the US, greater efforts to integrate with, participate in, and influence multilateral institutions such as the UN, GATT/WTO and the OAS, the adoption of a more open attitude towards sovereignty, and while a critique and insistence on fairer rules and distribution was maintained, it was now argued within the framework of acceptance of existing global rules and from a more cooperative standpoint.[44]

The Cardoso presidency consolidated this shift. Under his administration there was full recognition of the new paradigm – democracy and economic liberalism – as well as of a new international environment that attached greater

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[41] Although it must be said that the inflexible and extremely detailed constitution has created as many difficulties for democratisation and rational government spending as it has offered a structure within which to govern under democracy.

[42] Celso Lafer and Gelson Fonseca, 'Questões para a Diplomacia no Contexto Internacional das Polaridades Indefinidas', in: Gélson Fonseca and Sérgio Henrique Nabuco de Castro (eds), *Temas de Política Externa Brasileira II* (Rio de Janeiro: Paz e Terra 1994), pp..31-46.

[43] See Roberto Abdenur, A Política Externa Brasileira e o "Sentimento de Exclusão" in T*emas de Política Externa Brasileira II*, op. cit, 31-46.

[44] Monica Hirst and Letícia Pinheiro, 'A Política Exterior do Brasil', *Revista Brasileira de Política Internacional* 38 (1) 1995, pp. 5-23.

importance (at least nominally) to norms, rules and the internationalization of power. This was the judgment of then Foreign Minister Lampreia at the UN in 1995: "the current configuration of international relations converges towards the two concepts that have inspired the revolution of the 90s: democracy and economic liberty with social justice. This is the main characteristic that will shape the century that approaches us and will assure liberty and prosperity for all of us."[45] This shift was backed by the new constitutional order. "Brazil's return to democracy...had a positive impact on its foreign policy, especially given the international order that [emerged]. The constitution of 1988 makes democracy the driving idea and accelerates the constitutionalisation of foreign relations. Brazil's highest law establishes as principles human rights, the defence of peace, the solution of conflict and the repudiation of terrorism and racism".[46]

Under the Cardoso presidencies Celso Lafer, Gelson Fonseca, Hélio Jaguaribe and others, developed an intellectually elaborate vision of the meaning of multilateralism in international relations, both in political and economic forums, and there were great debates about the relative merits of multipolarity and multilateralism.[47] Central themes for the 'new multilateralism' were greater distribution of power internationally, and the normative issues of human rights, democracy and, last but not least, sustainable development: the aim was to strike a balance between the acceptance of a growing web of international norms and conditionalities and the protection of state sovereignty.

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[45] See Fundação Alexandre de Gusmão, *A palavra do Brasil nas Nações Unidas 1946-1995* (Rio de Janeiro: FUNAG 1995).
[46] Celso Lafer, 'Brazil in a New World' in: Abraham F. Lowenthal and Gregory F. Treverton (eds), *Latin America in a New World* (Boulder, Colorado: Westview Press, 1994), p. 224
[47] Celso Luís Nunes Amorim, 'Entre o desequilíbrio unipolar e a multipolaridade: o Conselho de Segurança da ONU no período pós-Guerra Fria', in: Gilberto Dupas and Tullo Vigevani (eds), *O Brasil e as Novas Dimensões da Segurança Internacional*, (São Paulo: Alfa Omega 1999), p.98. Gelson Fonseca, *A Legitimidade e Outras Questões Internacionais* (Rio de Janeiro: Paz Terra 1999); Celso Lafer and Gelson Fonseca, 'Questões para a diplomacia no contexto internacional das polaridades indefinidas', in *Temas de Política Externa Brasileira,* pp. 49-76. See also various publications of the Euro-Latin American Forum, published by the IEEI in Lisbon, to which these and other Brazlian authors have contributed.

This impact of this shift in outlook is apparent in a number of issue areas. One is the area of greater openness about proliferation.[48] In 1987 the government acknowledged its nuclear programme, the 1988 Constitution stated that nuclear development can only be undertaken for peaceful purposes, in 1991 Brazil allowed the International Atomic Energy Agency to inspect its once secret nuclear facilities and signed the Mendoza Declaration with Argentina against the use of chemical and biological weapon to which Bolivia, Ecuador, Paraguay and Uruguay acceded later, in 1994 it adhered to the Tlatelolco Treaty, in 1995 it joined the Nuclear Suppliers Group that oversees export controls to prevent proliferation and the Convention on Certain Conventional Weapons and supported the ban on anti-personnel land mines, and in 1998 it acceded to the Nuclear Non Proliferation Treaty, and as a member of the MERCOSUR declared the sub-region, including Chile and Bolivia, a 'zone of peace'.

Another key shift regards relations with Argentina. Historical competition (nuclear and hydroelectric power more recently) turned into cooperation after 1985, when military and civilian contacts led to the establishment of mutual nuclear inspections and confidence building measures thereafter, and a 1991 agreement with the IAEA, the same year that both created the Argentine-Brazilian Agency for Accounting and Control of Nuclear Materials, and last but not least, the establishment of the MERCOSUR. There is still tension, but it is now over trade and tariffs, a common currency and the speed and intensity of integration, and differing approaches to relations with the US rather than over military issues. Indeed, one of the hallmarks of democratic foreign policy has been a move towards more involvement and cooperation in Latin America, particularly though the MERCOSUR and Amazonian cooperation initiatives.[49]

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[48] See Celso Lafer, 'As novas dimensões do desarmamento: os regimes de controle das armas de destruição em massa e as perspectivas para a eliminação das armas nucleares" in: *O Brasil e as Novas Dimensões da Segurança Internacional.*; Paulo S. Wrobel, 'Brazil and the NPT: Resistance to Change?', *Security Dialogue* 27 (3), 1996, pp.337-347

[49] Cooperation has been the response to Amazonian concerns (drugs, insurgency, and illegal activities such as mining, logging, and smuggling), with the creation of Plano Cobra between Colombia and Brazil to reinforce border policing) and greater efforts to integrate with the other Amazonian countries of the region. Examples are the Andean Community-MERCOSUR negotiations, the Brazilian-Bolivian gas pipeline and the Manaus-Boa Vista-Caracas highway, as well as the negotiations to establish a permanent secretariat for the Amazon Cooperation Treaty

Where the environment is concerned, there was a shift from a defensive posture under Sarney (although there were domestic policies adopted as much for internal consumption as 'para inglês ver' such as less incentives for cattle raising and monitoring of land burning), to a focus on openness. Collor de Mello brought in the issue of 'sustainable development', hosted the 1992 Rio Conference, and participated in other international environmental instruments. A similar opening was apparent in the human rights arena, marked by the 1992 ratification of the American Convention on Human Rights, and two UN Conventions, the prominent role played at the UN Vienna Conference on Human Rights, the acceptance of the jurisdiction of the American Court in 1997 and the promotion of UN assisted national human rights programmes – with Brazil being one of the first countries to adopt one in 1995.[50]

Where international security and relations with the US are concerned, the record is more mixed.[51] In the realm of security, there has been a greater willingness to see participation in international decision-making as part of national security, support for sanctions (as against UNITA in Angola in 1992), for wider remit for UN operations (nation building) and the UNSC (non proliferation and disarmament functions supported), and intensified participation in peacekeeping,[52] but there has also been a resistance to a more militarised, interventionist ethos (non participation in the Gulf War in 1991, and lack of support for intervention in Somalia and Rwanda, and, until very recently, the use of force in Haiti, are cases in point). The same ambiguity was apparent where the OAS is concerned: there has been acceptance of the OAS democracy protection regime, including the 2001 Democracy Charter, but continued suspicion of the OAS as a military rather than a diplomatic

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in Brasília in 1995 and the creation of a tripartite command for the triple frontier in 1996 between Brazil, Argentina and Paraguay to police what is widely seen as an area of terrorist activity.

[50] Antonio Augusto Cançado Trindade, A protecção internacional dos direitos humanos no limiar do novo século e as perspectivas brasileiras', in T*emas de Política Externa Brasileira*, op. cit, pp.168-187.

[51] Celso Amorim, 'O Brasil e o Conselho de Segurança da ONU', *Política Externa* 3, 1995; 'A Reforma da ONU', *Estudos Avançados* 43, São Paulo, IEA-USP, 1996.

[52] Brazil has sent soldiers, doctors, police and election specialists to Africa (particularly Angola and Mozambique), Central America (Esquipulas II, ONUSAL, MINUGUA compliance), Asia (Cambodia and East Timor) and Europe (UN missions in the Balkans, Croatia and Macedonia) and it is a member of the Special Committee on Peace Operations of the General Assembly

instrument given the view that it is essentially used by the US to maintain its hegemony in the region.

Relations with the US have always been ambiguous: generally friendly but never 'carnal' as the Argentines would have them at one point. The peak of friendly relations occurred in the 1960s during the early years of military rule. In the mid 1970s, Brazil made greater efforts to diversify foreign, trade and arms relations, partly as a result of its decision to develop its own military industrial complex. This, and primarily trade-related issues such as intellectual property and technology access, but also debt and the environment, were bones of contentions in bilateral relations from then on. There was a shift in the 1990s with the acceptance of the democracy-liberal economic creed by Brazil, although differences have remained over how to organize and distribute power in the international system (with the US being more unilateral and opportunistically multilateral, and Brazil being – from necessity and interest perhaps rather than innate virtue – a more principled multilateralist and favourable towards a more multipolar order) the way in which liberalisation should occur (FTAA free trade vs. MERCOSUR 'deep integration' and SAFTA – the latter later shelved and agreement reached on the finalisation of an FTAA by 2005) and over visions of democracy (with the US focusing on civil and political liberties and Brazil focusing on a more holistic vision of sustainable development). Another point of tension is over the issue of drugs and security. However, relations have never been openly antagonistic and given the failure of the EU to provide a truly credible alternative to the US, the emphasis has always been on cooperation and high-level relations.

III - The Environment and Human Rights in Democratic Brazil

What we see with the Brazilian case is that the international factors that have been most important are not states, but rather the 'internalisation' of new, more liberal and less defensive values. As a result of this, there has been a concomitant permeability to the critical opinion of non-governmental actors

working on normal issues. This is apparent in the field of environmental politics and human rights.

In her study of rainforest advocacy campaigns, Keck shows how networks were able to change the discourse and policy of major multilateral institutions, and even domestic policy. The story she tells shows that concern and the formation of what Peter Haas calls an epistemic community around the issue of deforestation began in the 1970s, with concern over the decision of the military regime to increase the rate of colonisation and developments projects in the Amazon. Early pressures, however, "quickly foundered under president Reagan, and several of the most important tropical forest countries (including Brazil [...]) refused to participate in United Nations Environmental Programme UNEP) meetings on the subject".[53] A campaign by activists to change the policy of lending institutions, particularly the World Bank, towards the financing of project with negative environmental impacts was more successful and had an impact on Brazil. The World Bank loan to the Polonoreste programme, a project to rationalise colonisation in the Brazilian northeast, was temporarily suspended in 1985 due to transnational activist pressures.

The capacity of the network to have an impact on WB policy, and consequently on Brazilian government policy (the successor to Polonoroeste was Planafloro in the early 1990s, a much more environmentally friendly project), was tied up with the fact that the campaign coincided with the first period of democracy: "The timing – the project began in 1981 – placed it just on the cusp of Brazil's democratisation process; the first free gubernatorial elections took place in 1982, and Brazil's first civilian president since the 1964 coup took office in 1985. Democratisation stimulated political and social organisation and greater circulation of information."[54] Thus, while democratic opening favoured closer connections between local and outside activists this, in turn, allowed outsiders to shape the politics of democracy, in this case over the environment, a crucial issue for Brazil.

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[53] Keck and Sikkink, *Activists Beyond Borders*, op. cit, p. 134
[54] Ibid, p. 137.

Also relevant is that high levels of international attention provided incentives for locals to organise: "incentives for local groups to become organised were high. With foreign attention focused on the Amazon and the approach of the 1992 Earth Summit in Rio de Janeiro, money and media attention were available as never before. Conflicts among NGOs in the region [Rondônia] were smoothed over, and in 1991 the Rondônia NGO Forum was created. This forum became the formal NGO interlocutor from Rondônia for the Planafloro project and another large environmental project, the Amazon Project, sponsored by the Group of Seven (G-7)."[55] The point here is that international actors, through the formation of transnational activist networks, help local civil societies to organise themselves and mobilise. In this sense, it can be said that international actors can make a crucial contribution to one important aspect of democratisation: the fortification of civil society.

A further effect is the increasing legitimacy of NGOs as partners for government and policy elaboration and implementation. As Sally Morphet cites in her analysis of NGOs and the environment: "the importance of civil society was demonstrated at UNCED. Rio will be remembered for showing that governments alone cannot address the environmental crisis. Politicians are beginning to accept they cannot have a decision-making monopoly on these issues".[56]

The international dimension of the struggle for human rights in Brazil has been increasingly apparent, both in the process leading up to the adoption of a national human rights plan, and in more circumscribed issue areas such as indigenous rights and the rights of street children and the prison population. Reforms in all these areas have been undertaken in large measure as a result of pressures from local NGOs allied with international groups, forming powerful, opinion shaping, transnational activist networks.

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[55] Ibid, p. 143. It should also be noted that rubber tapper Chico Mendes, a leader of the local element of this network, was murdered in 1988, an event which made the front page of *The New York Times*)

[56] Ian H. Rowlands, 'Environment and Development: The Post-UNCED Agenda', *Millenium* 21 (2), p.220, cited in Sally Morphet, 'NGOs and the Environment' in: Peter Willetts ed), *The Influence of Non-Governmental Organisation in the UN System: The Conscience of the World* (Washington: Brookings Institution1996), pp. 116-146.

After 1985 the profile of human rights issues was gradually raised, and governments acknowledged the country's human rights problems with increasing openness, engaging in a dialogue with international and domestic human rights organizations and promoting initiatives to stem human rights abuses. Federal authorities and the executive in particular progressed slowly but surely away from what Paulo Sergio Pinheiro has called the "politics of shame" towards a more pro-active attitude. Successive efforts to implement specific policies culminated in the National Programme for Human Rights (Programa Nacional de Direitos Humanos, PNDR) launched by President Cardoso in May 1996, the first of its kind in Latin America and the third worldwide.[57]

The role of transnational networks in bringing about this change was important, although it only became more apparent under Collor de Mello. The Sarney administration was still largely beholden to the military and defensive where human rights issues were concerned and maintained an attachment to the values of a defensive nationalism. After 1989, however, human rights issues acquired a new prominence, not least because of two hard-hitting Amnesty International on torture and the plight of street children. The first of these led Collor to make a nationally televised speech in June 1990, stating that his country would never again be "cited as violent in reports by Amnesty International" and that the "new Brazil" would no longer "accept any form of disrespect for human rights."[58] A second report in September 1990 on the torture and killing of street children by police officers and death squads led Collor to call for a federal investigation of all the cases featured in the publication. This constituted a departure from previous policy, whereby federal

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[57] This section of the chapter is drawn from the article written with Francisco Panizza, 'The Politics of Human Rights in Democratic Brazil: "*A Lei Não Pega*"'. (with F. Panizza), *Journal of Democratisation*, 1998. See also, by the same authors 'A política doméstica e internacional dos direitos humanos no Brasil: "Glasnost sem Perestroika"'. *Política Internacional*, 17 (2), Spring-Summer 1988. Paulo Sérgio Pinheiro, 'O passado não esta morto, nem ainda é passado', pp. 7-8 in: Gilberto Dimenstein, *Democracia em Pedaços: as violações de direitos humanos no Brasil* (São Paulo: Companhia das Letras, 1996); *Programa Nacional de Direitos Humanos* (Brasília: Ministério de Justiça, 1996); Paulo Sérgio Pinheiro and Paulo de Mesquita Neto, 'Programa Nacional de Direitos Humanos: Avaliação do primeiro ano e perspectivas', *Estudos Avançados*, 11:30, 1997, p. 117.

[58] For speech see: Amnesty International, *Brazil Report*. (London: Amnesty International, 1991) p. 49 and for actual report see: Amnesty International, *Torture and Extra-judicial Executions in Urban Brazil*. (London: Amnesty International, 1990)

authorities would refuse to investigate human rights violations on the grounds that it was the responsibility of state and local authorities to do so. Thus, reports ceased to be denied, ignored or silenced, and human rights became an explicit part of the presidential political agenda.

A nationalist rather than a modernizer, President Franco's initial reaction to reports by international organizations on human rights violations in Brazil was ambiguous. However, a combination of internal and external events encouraged the presidency to adopt a more positive attitude toward the issue. The murder of eight street children in July 1993 in Candelaria, Rio de Janeiro, allegedly by off-duty policemen; the killing of 21 people by over 30 hooded armed men later identified as police officers in the shanty town of Vigário Geral in Rio de Janeiro in August 1993, reportedly in revenge for the killing of four military police officers allegedly murdered by drug-traffickers based in the shanty town; and the massacre of approximately 16 Yanomami Indians near the Brazilian-Venezuelan border, shocked public opinion and provoked widespread protest from both domestic and international human rights organizations.[59] In response to the outcry, the Franco administration promised a prompt investigation of the Candelaria massacre, calling for the involvement of the federal government to ensure an expeditious trial;[60] it also placed itself within the discursive field of the defenders of human rights, sending thousands of letters in response to those demanding an investigation of the murders, acknowledging the existence of violence against children and expressing the president's personal commitment to the investigations. Further action on the human rights front was undertaken between July and October 1993, in the aftermath of the Vienna Conference on Human Rights in 1993. The Ministry of Justice promoted a series of meetings between ministers, members of parliament, civil servants, police and military officers, as well as representatives of approximately thirty non-governmental organizations (NGOs) to discuss ways of improving mechanisms for the protection of human rights. This resulted in the presentation in December 1993

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[59] See Amnesty International, *Beyond Despair. An Agenda For Human Rights in Brazil.* (London: Amnesty International, 1994),
[60] Amnesty International, *The Candelaria Trial: A Small Wedge in the Fortress of Impunity* (London: Amnesty International, 1996).

of the National Programme for the Promotion of Citizenship and to Combat Violence.

Human rights featured frequently in President Cardoso's public addresses. In what has been considered his most significant speech on the issue, his address to the nation on the anniversary of Brazil's independence on 7 September 1995, stated that human rights was "the new name of the struggle for freedom and democracy" and emphasized "the willingness of the Brazilian people not just to speak about human rights but to work for their protection." The president subsequently called on the Congress to pass laws to re-structure the CNDH, to typify torture as criminal offence and to institute a witness protection programme. He also announced the creation of an annual Human Rights prize, awardable to an agency, non-governmental organization or individual distinguished in the defence of human rights, and the drawing up of the PNDH as recommended by the 1993 Vienna Declaration.

The PNDH was elaborated with key Brazilian NGOs[61] and debated by the National Human Rights Movement and at the first National Human Rights Conference, organized by the Human Rights Commission of the Federal Chamber of Deputies established in 1995. In April 1996, a National Human Rights Secretariat was set up within the Ministry of Justice, to promote the PNDH and to liaise with social organizations. The NPHR was launched on 13 May 1996. It consisted of 226 proposals covering a wide spectrum of rights, but concentrates primarily on the protection of the right to life. Because of its comprehensive nature and because it has actively sought the promotion of the active involvement of both state and society in its elaboration and implementation, the Plan has been seen as a positive "framework to ensure the fulfilment of the rule of law and of a partnership between the State and civil society."[62]

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[61] Paulo de Mesquita Neto, 'Programa Nacional de Direitos Humanos: continuidade ou mudança no tratamento dos direitos humanos no Brasil', *Revista CEJ* 1 (1), April 1997 on the elaboration of the programme.
[62] Paulo Sergio Pinheiro and Paulo de Mesquita Neto, "'rograma Nacional de Direitos Humanos', op. cit, p. 120.

As this summary account shows: (1) international pressures brings about states responses, as the impact of the Amnesty reports and international public protest against Candelaria indicate; (2) international actors strengthened and provided incentives for local actors to organise, empowering them, and visa versa. This is very clear in the case of the defence of the rights of street children and of indigenous groups, where local, foreign and international NGOs work with other civil society groups, church organisations, political parties, and official organisations, both national and international, to promote policy change.[63] Thus "international human rights pressures can lead to changes in human rights practises, helping to transform understandings about the nature of a state's sovereign authority over its citizens."[64] Given the nature of the issue, moreover, the contribution to democratisation is wider than just stimulating civil society; it has led the government to reform key institutions that have an impact on the quality of democracy.[65] It is also important to note that, in this case also, the nature of the impact of outside intervention is shaped by what exists at home: "domestic political structures, political cultures and coalition behaviour are important factors" in determining success or failure of transnational activist pressure.[66]

There is actually a mutually reinforcing dynamic at work. In transition, a fluid and uncertain situation, governments and civil society and transnational activists may use international commitments to 'lock in' domestic preferences. Citing Moravcsik's study of the creation of a human rights framework in post-war European: "international institutional commitments, like domestic institutional commitments, are self-interested means of 'locking in' certain preferred domestic policies – at home and abroad – in the face of future

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[63] For an account of the movement for street children see Edward Cleary, *The Struggle for Human Rights*, op. cit., pp. 69-81; on indigenous rights see S. James Anaya, *Indigenous People in International Law* (Oxford: Oxford University Press, 2000).
[64] Sikkink on Mexico and Argentina, in Keck and Sikkink, *Activists Beyond Borders*, op. cit, p. 116
[65] On the very negative impact of unreformed mentalities, practises and law and order institutions on the quality of democracy see Juan E. Méndez, Guillermo O'Donnell and Paulo Sérgio Pinheiro (eds), *The (Un)rule of Law and the Underprivileged in Latin America* (Notre Dame, Indiana: Notre Dame University Press), particularly introductory chapter by Pinheiro, pp.1-24.
[66] Ibid. p. 162 and p. 228.

political uncertainty [...] by placing interpretation in the hands of independent authorities managed in part by foreign governments – in other words, by alienating sovereignty to an international body – governments seek to establish reliable judicial constraints on future non-democratic governments or on democratically elected governments that may seek...to subvert democracy from within. In the language of international relations theory, this "two-level" commitment "ties the hands" of future governments, thereby enhancing the credibility of current domestic policies and institutions."[67]

IV - **Conclusions**

As this paper has attempted to show, while the international dimension was not very relevant in the early years of the transition to democracy in Brazil, it did acquire some prominence after 1989, not only due to the work of transnational networks of activists shaping key issue areas with an direct and indirect impact on the process of deepening democracy, but also because the values permeating the international order of the post-Cold War period became internalised and part of the new Brazilian political scenario.

At this point it is worth qualifying what may appear to be an unquestioning attitude towards the positive impact of an organised civil society and the national and transnational NGO world. Regarding the first, it is important to take on board that civil society is not always an obvious democratising force. Indeed, it has not always been seen in the heroic light it tends to be regarded today, as Nancy Berneo says: "The portrait of civil society [in works] from the 1960s and the 1970s is very different from the portrait we see most frequently today. Rather than associating civil society with the stabilization of democracy, or with good and efficient government, these earlier works emphasize an association with ineffective policy-making and instability instead." Social groups can place unbearable pressure on democratic systems by making impossible

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[67] Ibid, 228

distributive demands of them.[68] It is therefore important to adopt a balanced approach where civil society is concerned. As regards the more circumscribed world of issue-specific NGOs, the heroic view must be tempered by an awareness of what is often a lack of accountability, the tendency for issue areas to become 'industries', and that NGOs may spend a lot of money without actually making much difference at all.[69]

Finally, it would be amiss not to mention that the more optimistic view of the post-Cold War period is now somewhat misplaced, given the overwhelming shifts in discourse and practise since the felling of the Twin Towers in New York. Although the external dimensions of democratisation is very much on the international political agenda, talk of democratisation is now more than ever restricted to countries where Al-Qaeda is thought to be operative or to so-called 'failed' or 'rogue' states, and peaceful means to promote democratic change are under fire from a unilateralist US administration that has militarised democracy promotion.[70] It is also important to note that, under the guise of anti-terrorism, governments around the globe have increased the internal repression of

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[68] Nancy Bermeo, *Ordinary People in Extraordinary Times: The Citizenry and the Breakdown of Democracy* (Princeton: Princeton University Press 2003). Bermeo cites a number of examples: Juan J. Linz, *Crisis Breakdown and Reequilibration*; Samuel P. Huntington, *Political Order in Changing Societies*; the 'mass praetorianism' of Guillermo O'Donnell in *Modernisation and Bureaucratic Authoritarianism*; and Albert Hirschman, *Exit, Voice and Loyalty*. See also: Chalmers, Douglas, 'The Politicised State in Latin America', in: James Malloy (ed), *Authoritarianism and Corporatism in Latin America*. (Pittsburgh: Pittsburgh University Press 1977) pp. 23-46.

[69] Cleary refers to the criticism of the children's rights movement in Brazil, which some say has become an 'industry', given the large amount of foreign aid and attention given to its activities. He cites an interviewee: "A certain pathology takes over. Foremost, organisations should be turned outward, to the benefit of their clients. Instead some become more interested in their own functioning and welfare. They spend much time justifying their activities before foreign funding agencies. They have to compete for funding with other groups. So attention goes on winning grants. Further, foreign benefactors (mostly European of various nationalities) have their own agendas to which Brazilians have to conform. Sometimes these agendas are out of touch with the Brazilian situation." Edward Cleary, *The Struggle for Human Rights*, op. cit., pp. 79-81.

[70] Laurence Whitehead makes similar points in his contribution to this volume. Were President Bush able to read, he would now recognise his plight in the following words by Machiavelli: "In seizing a new principality, «you have as enemies all those whom you have offended in seizing that principality, and you cannot keep as friends those who have put you there because you cannot satisfy them in the mode they had presumed and because you cannot use strong medicines against them, since you are obligated to them." Niccolò Machiavelli, *The Prince* (Of Mixed Principalities, III)

political dissidence, and engaged in hair-raising policies that during the 'liberal internationalist' 1990s would have not passed unnoticed.[71]

This new context has contributed to changes in domestic and foreign policy under Lula. The election of Lula owed much to dissatisfaction with the economic and social policies of the previous government, particularly after the recovery, prompted by the 1994 stabilisation plan, began to wane. Lula's platform spoke of change and the need for greater social justice, and in the foreign policy field, a commitment to a stronger sovereignty stance and refocusing on the immediate neighbourhood. Foreign policy was to be about increasing the living standards of and providing jobs for Brazilians. Although this has meant a higher degree of economic orthodoxy at home than might have been expected from campaign speeches, in the international sphere there has been an effort to engage in 'alternative' diplomacy, though participation in The World Socialist and World Economic Forums[72], and forging of closer ties with 'alternative' power centres, including China, India, Russia and South Africa. The vision behind this posture is summed up by Foreign Minister Amorim: "In Latin America we have been suffering for some time now the social consequences of policies unsuited to our circumstances. The emerging consensus is that globalisation has not lived up to its promise. It has failed to improve the livelihood of most people in the developing world. In many quarters it has made social problems more acute. We must review some of the neo-liberal assumptions and prescriptions about minimising the role of the state and a blind faith in the ability of market mechanisms to produce the changes needed to make the world socially fairer and politically more stable."[73]

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[71] See Human Rights Watch, *Opportunism in the Face of Tragedy: Repression in the Name of Anti-Terrorism*, 20 January 2002 (New York; Human Rights Watch); Human Rights Watch, *Anti Terror Campaign Cloaking Human Rights Abuse*, 16 January 2002 (New York: Human Rights Watch). As HRW shows, this is happening not only in authoritarian or fragile democratic contexts, but also in countries like the UK, Australia and the US.
[72] One example is the adoption of a critical stance at the Cancun WTO meeting in 2003 through G-20 membership. Brazil was a founder of the poor man's club that aims to force open agricultural trade with wealthy countries.
[73] Celso Amorim, 'Building our Latin American 'Community of nations'', from a speech at the London School of Economics, 6 April 2004.

This critical vision results from an ideological outlook that differs from that of preceding administrations; but it has also been reinforced by the post 9/11 international context. There is greater divergence now with the US over how the international system should be organised, as the US has acted in a rampantly unilateral way and Brazil continues to favour a more multilateral and multipolar vision of the world. Brazil has also shown itself more willing to adopt a more open leadership stance, both regionally and internationally. One can consider this the mature behaviour of a democracy: if the first step is to allow the outside in, the second is to project the inside out, as Western democracies do.[74] One example of this, which contrasts starkly to a previous resistance to accept peacekeeping delegation by the UN to the OAS is the dispatch of 1,200 troops to Haiti, "the country's biggest foreign military deployment since the Second World War." Indeed, Brazil will actually to command 6,700-strong force of mostly Latin American troops and 1,600 police officers, taking over from US and French forces. The justification offered by foreign minister Celso Amorim is that these kinds of action promote a "more balanced world."[75] The message, therefore, is not one of confrontation, but that 'we do things our own way'. Clearly, therefore, the international environment, or zeitgeist, continues to shape domestic and national foreign policy responses. They are likely to intensify if increasing interdependence trends continue to prevail. And in the absence of such leadership from Comrade Bush up North, the greatest service that Lula's Brazil could render the international democracy-promoting ethos is to continue to support the values of lowered sovereign barriers as it has increasingly done since 1990, and to argue for a multilateral normativity. Right now, the peaceful international dimension of national regime change and political transformation badly needs this kind of boost.

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[74] The first Lula-'Comrade Bush' meeting was a public relations success, but Lula has been critical of US policy towards the Middle East, and there are persistent tensions over trade and intellectual property, and more recently, because of Brazilian ambiguity regarding its nuclear intentions (it refused to allow international inspections of its uranium enriching centrifuges and has indicated it intends to reactivate its nuclear programme).

[75] "A Giant Stirs", *The Economist*, 10 June 2004. The same article also reports that Lula has adopted a more pro-active stance towards Bolivia and Colombia.