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The Quality of Democracy in Latin America

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BRAZIL HAS ALWAYS BEEN A PUZZLING CASE WITHIN LATIN America. This is no less true about Brazil’s present-day democracy, which at twenty-five years, represents the longest period of liberal democratic rule in the country’s history. In January 2003, then-president Fernando Henrique Cardoso (1994–2002) passed the presidential sash to newly elected president Luiz Inácio da Silva (2002–2010)—commonly called Lula. Although it occurred eighteen years after the transition to democracy, it was the first time two directly elected presidents made this exchange. By this time, many dimensions of Brazilian democracy were consolidated, including civilian control over the armed forces, most of the procedural aspects of political contestation such as free and fair elections, and robust levels of participation, both at the ballot box and in the form of continued organization of civil society. Yet Brazilian democracy also evinces many characteristics of its oligarchical and authoritarian past. Political identities remain weak, and voters are typically unknowledgeable about politics, allowing elites to “manage” the voting of the poor, especially in the more rural areas of the country in the northern and northeastern regions. While Brazilian civil society has been successful in mobilizing on behalf of democratization and human rights, conservative elites continue to mobilize the poor as well, often in support of policies and politics that disempower them. Corruption, the politicization of the courts, and even political violence play a role in protecting these domains of oligarchical rule.

The main argument of this chapter is that the quality of liberal democracy in Brazil is, to follow Levine and Molina (Chapter 1), a multidimensional, composite concept. Some aspects of the quality of democracy may advance while others erode. This is true of Brazil’s democracy on two dimensions: (1) the level of participation versus elite accountability and responsiveness, and (2) procedural democracy and good governance. The first dimension refers to the puzzle
of why, after more than twenty-three years of extensive mobilization and consistently strong participation, civil society has not more fundamentally transformed the political elite or the procedures that govern the political system in Brazil. This chapter argues that the institutions and practices of democracy reinforce the rule of oligarchical and clientelistic elites even while they expand opportunities for the organization and participation of a growing diversity of social groups. This is possible because two dimensions of the quality of democracy—electoral decisionmaking and political participation—have not evolved in ways that develop coherent, autonomous, equitable, and sustained forms of civil societal action. That is not to say that periodic, anomic, and even more institutionalized efforts have not borne fruit. But these experiences are too local or sui generis to become systemic and transformative. As a consequence, two other aspects of democratic quality have suffered: elite accountability and government responsiveness. Both have evolved unevenly and without lasting institutional changes to guarantee that periodic reforms consolidate.

The other dimension of the puzzle of Brazilian democracy refers to the experiences of the Cardoso and Lula administrations. These governments have demonstrated through their competent management of economic and social policies that good governance is possible. Yet these governments have done so without notably strengthening procedural democracy. Worse still, good governance has served to veil the slowness of progress on the quality of democracy. As Levine and Molina argue, the quality of democracy may stagnate or suffer even as government performance improves (Chapter 1). The covering-up effect of good governance has been especially egregious under the Lula government. Lula, the longtime leader of the Workers Party (Partido dos Trabalhadores; PT), was for two decades the prime leftist opposition to the center-right governments that ruled Brazil from 1985 to 2003. The PT itself was regarded as an agent of competent and clean government, as it proved during the 1990s through its management of hundreds of municipalities and a few states. Incongruously, Lula’s first term became mired in a vast corruption scandal implicating his party and individuals working closely with him in the presidential palace (Planalto). First, the mensalão scandal, involving monthly payments to deputies in return for their votes, was linked to the top officials in Lula’s administration, including his chief of staff, José Dirceu, and the head of the PT, José Genoino. The story broke spectacularly in June 2005 through the testimony before a congressional board of inquiry of Roberto Jefferson, a leader of the right-wing Brazilian Labor Party (Partido Trabalhista Brasileiro; PTB), a sometime ally of the government in the Chamber. But the alleged malfeasance was more extensive than even Jefferson revealed. Other cases of wrongdoing exploded thereafter, including the caixa dois (second cashbox) scandal, which implicated dozens of PT mayors in the use of kickbacks from municipal service contracts to finance the party’s campaign activities. Despite all of this, Lula was reelected in 2006.

Lula’s return to power was the result of his strong support among the poor. His lead over his rival from the centrist Party of Brazilian Social Democracy (Partido da Social Democracia Brasileira; PSDB), Geraldo Alckmin, was determined largely by this advantage among poor households, especially in the less developed north and northeast of the country, where Lula’s margins were the highest (Hunter and Power 2007: 4–5). Poor voters, most of whom had fresh and ongoing experiences with the benefits of Lula’s social policies, drew a direct link between his continuation in power and their own improvements in household income. In rewarding Lula, did Brazilian voters undermine further the quality of their own democracy? Or, by following their pragmatic interests in rewarding realized good government, did voters reinforce the principle that elite responsiveness enhances the value of political representation? It is questions like these that epitomize how the quality of Brazilian democracy is multidimensional and composite. The rest of this chapter analyzes each of the five dimensions of the quality of democracy in Brazil, highlighting the contradictions between oligarchical and participatory dimensions as well as the effects of good governance under Cardoso and especially Lula.

Electoral Decision Without Partisan Decisiveness

Electoral participation is one dimension of the quality of democracy in Brazil that is strong on the surface level. Voters have many opportunities to vote at every level of the federation (municipal, state, and federal). Political rights are defended and practiced routinely. Yet the quality of the decisions Brazilian voters make is questionable. In this section, I argue that the poor quality of electoral decisionmaking in Brazil is the result of the weakness of political ideological and partisan identities. This weakness is institutionally embedded in an electoral system that undermines the capacity of parties to organize electoral behavior. Instead, candidates cultivate a personal following among the electorate, and voters respond to offers of particularistic, material rewards. While robust partisanship is not necessary for the quality of democracy, the extreme weakness of partisanship and the dominance of personalism in Brazilian politics hurt the link between citizens and programmatic government.

One of the central challenges in studying the electoral behavior of Brazilians is the paucity of empirical work on the subject (Ames, Baker, and Renno 2008b; Carreirão and Kinzo 2004: 131–132; Singer 1999: 49). Samuels, in a comprehensive review of the literature, opines that this lack of scholarship contrasts with the extraordinary amount focused on the Brazilian party system and the legislature (2006a). Much of what is known about electoral behavior is derived from this work. The relevant literature has focused on two dimensions: (1) the coherence of ideologies in the electorate, and (2) partisanship, which looks at to what extent voters identify with particular parties.
Brazilian voters fail to follow coherent left-right ideologies. Some empirical work using surveys of voters done between 1989 and 2000 shows that Brazilian voters situate themselves on a left-right scale and vote in ways that are consistent with their ideological self-identity (Singer 1999). Subsequent work, however, has failed to confirm this pattern. In an empirical evaluation of responses to the first two iterations of the Brazilian National Election Study (Estudo Eleitoral Brasileiro; ESEB) in 2002 and 2006, Carreirão finds that 58 percent of the electorate self-identify on the left-right scale (2007a: 313–314). However, the comparison of the two ESEB data points reveals a decline of 24 percent, mostly on the more defined ends of the spectrum of left and right, suggesting a degree of volatility on this variable that is not typical of coherent political identities elsewhere. One may even question the validity of self-identification on the left-right scale, as most voters do not understand this gamut (Almeida 2001, 2006). For example, fewer than 20 percent of respondents to the ESEB surveys could correctly place the major parties on the left-right spectrum (Carreirão 2007a: 316). Empirical evidence from elections between 1994 and 2002 suggests that Brazilian voters are largely nonideological, preferring candidates based on information they gather from friends and relatives in their immediate social context (Baker, Ames, and Renô 2006).

The causal significance of self-identity in voter choices is also questionable. When control variables such as education, social class, and religion are added to the statistical models, the importance of ideological self-identity for predicting voter choice evaporates (Carreirão 2002, 2007b). Party identifiers’ ideological proclivities do not even coincide consistently with their partisan choices. More voters who self-identify as centrist or right-wing report a preference for the PT than for any of the parties that complement their ideological predispositions (Carreirão 2007a: 318).

Concerning partisanship, the balance of scholarship demonstrates that Brazilians have weak connections to parties, even when controlling for class, age, race, and religion, factors that in older democracies form the social bases for affiliation to parties (Lipset and Rokkan 1967). Studies consistently demonstrate more than 60 percent or more of Brazilian voters evince no partisan identity (Carreirão 2007a; Carreirão and Kinzo 2004). Work on electoral volatility—defined as half the sum of the distribution of party vote shares between electoral cycles (Pedersen 1990)—shows that Brazil has one of the highest levels in the world, suggesting that patterns of party identity remain highly fluid in the electorate (Baker, Ames, and Renô 2006; Nicolau 1998; Peres 2000). Consequently, over two-thirds of the electorate regularly engage in split-ticket voting, selecting candidates from different parties, and sometimes diverse ideologies, on the same ballot (Ames, Baker, and Renô 2008a). Brazilian voters harbor preferences for politicians rather than their parties, so partisan sentiments tend to fail as accurate predictors of their choices (Carreirão and Kinzo 2004: 156). Attitudes concerning parties underscore these results. According to the 2007 Brazil survey conducted by the Latin American Public Opinion Project (LAPOP), 51.7 percent of respondents expressed the opinion that democracy would do fine without political parties of any kind.2

If Brazilians evince any degree of partisanship it is mostly among the supporters of the PT. When compared to the ideology of the other major parties—Liberal Front Party (Partido da Frente Liberal; PFL) on the right, Party of the Brazilian Democratic Movement (Partido do Movimento Democrático Brasileiro; PMDB) of the center-right, and Party of Brazilian Social Democracy (Partido da Social Democracia Brasileira; PSDB), a centrist/center-left party—petismo (the PT’s ideology and following) is more substantive and widespread while voters for conservative parties tend to identify less with the organization and more with the individual candidate (Ames, Baker, and Renô 2008a; Mainwaring, Meneguello, and Power 2000: 196–197; Samuels 2006a). However, even that is in decline, as fewer voters identified with the PT in 2006 (27.4 percent) than they did in 2002 (35.3 percent) according to the ESEB (Carreirão 2007a: 319). The balance of the evidence from electoral polling confirms the expectations of weak partisanship, though this may simply be a reflection of the better and more consistent polling done in recent years. While studies of the 1989–2002 period have found stronger correlations between partisanship and vote choice and declining Pedersen volatility scores,3 empirical work on the post-2002 period shows that this has declined significantly.

The causes of weak ideological and partisan disposition among Brazilian voters have been blamed on educational and institutional factors. The inequalities of the educational system severely skew the availability of cognitive resources, but the upshot of this finding in Brazil is debatable. Scholars are not agreed on the proposition that education correlates with voter partisanship. Generally speaking, more educated Brazilians evince a greater preference for party, and particularly for the PT, but this tendency is conditional (Carreirão and Kinzo 2004: 147–150). Samuels detects no correlation except a weak one (p < 0.1) for the PT, which disappears when control variables are added to his models (2006a). Mainwaring, Meneguello, and Power show that education is an inconsistent predictor of identification with conservative parties (2000). Kinzo finds that education matters in multivariate models when the cases are coded as high and low education, thereby inviting grouping error (2005). Carreirão finds more consistent correlations between partisanship and education level for the 2002 than for the 2006 ESEB (2007a: 322–325). Thus, overall, empirical support for the role of education is mixed at best.

Institutional characteristics in the Brazilian electoral and legislative systems are more likely causes of the continuation of weak partisan and ideological self-identities in the electorate. At the top of the list of factors is the open-list proportional representation electoral system, which places a sometimes overwhelming number of candidates on a single ballot and requires voters to select individuals rather than parties (Santos and Vilarouca 2008). The high number
of effective parties and the fact that electoral districts are whole states add to the
tremendous range of candidate choices, reinforcing the tendency for voters to
also do a poor job of campaigning on clear programmatic platforms, in no small
part because they do not pretend to act on that basis in the legislature. Brazilian
parties, with the exception of the PT, are internally undisciplined and ideologically
catchall parties (Ames 2001; Mainwaring 1999). To be sure, inchoate parties
and party systems redound in inchoate partisan thinking in the electorate.
Brazilian voters are not presented with consistent, programmatic, and ideologically
coherent options, so they are driven by the incentives presented by clientelistic
politicians that particularize their appeal. As I demonstrate below, this
can have a profound effect on the quality of participation by making citizens the
targets of elite mobilization, rather than the agents of change themselves.

Participatory Democracy (Ma Non Troppo)

Despite the evident weakness of partisanship and ideology among Brazilian citi-
zens, they participate extensively in politics. The 1988 Constitution conceived
of participation as the lifeblood of democracy, underscoring not just the repre-
sentative dimension, such as elections of members of the legislature and the
president, but also direct democracy through referenda, plebiscites, popular ini-
tiatives, and activities through councils (Calvancanti 2006). Brazilian civil soci-
ety also enjoys a broad diversity of opportunities for organization and mobilization
autonomously from the state, including through public demonstra-
tions, official hearings, and legal actions. Elections offer a surfeit of choices
for voters, with each four-year electoral cycle producing numerous opportu-
nities to determine leadership on multiple levels. Presidents are elected every four
years concurrently with federal deputies, senators, governors, and state legisla-
tors. Mayors and city councilors are selected during midterm elections. Brazili-
ans tend to make the most of these opportunities by turning out to vote in large
numbers in national, state, and municipal contests. The national turnout rate
during the democratic period has averaged around 80 percent, or 100 million
voters per election.5

With so much emphasis on participation in and between electoral cycles,
Brazil can be considered a participatory democracy, but, as I argue in this sec-
tion, the activism of civil society is curtailed in several ways. First, participa-
tion can be captured by political elites and be converted to support for the status
quo, particularly when voters hand them their votes in the hopes of receiving
material rewards. Second, even the best efforts to expand participation and sus-
tain it in the shaping of public policy can fall short. There are plenty of exam-
pies of civil societal mobilization placing previously ignored issues on the
political agenda, but being unable to engineer change either because mobiliza-
tion or political institutions faltered. Third, who participates can be as important
as how many participate. Movements and nongovernmental organizations have
proven highly effective for broadening the participation of Brazilian civil society,
but many formal institutions still underrepresent women and ethnic minorities.

Having opportunities to participate does not mean that participation itself is
the product of autonomous, citizen action. Everyday forms of clientelist mobiliza-
tion pervade the Brazilian polity. Just as leftists in the highly industrialized
areas of São Paulo were able to mobilize partisans of the PT and union members
(Keck 1992), so conservatives in the poor northern and northeastern regions of
Brazil have been able to send their rural workforce to the polls to vote for right-
ist candidates. Without access to autonomous organization, both the urban and
rural poor are susceptible to being mobilized as clienteles of conservative par-
ties that appeal to the material and short-term interests of the uneducated, land-
less, and penniless (Gay 1990; Mainwaring, Meneguello, and Power 2000: 170–173).

These patterns of conservative versus more autonomous forms of participation
have a geographic dimension, which can be illustrated by comparing
subnational political systems in Brazil. Table 6.1 presents several indicators for
the political competitiveness, pluralism, and socioeconomic development of the
twenty-seven Brazilian states (including the federal district) in the 1982–2003
period. The states of the northern and northeastern regions evince the strongest
tendencies to mobilize the poor and powerless on behalf of conservative incu-
bents and extended political families that tend to dominate political com-
petition. These states are run by many of the same traditional elites who were
present before the transition to democracy and who continue to control state
legislatures and all-powerful gubernatorial offices (Desposato 2006; Hagopian
лизation from above is captured in first-round vote margins for both gubernato-
rial and legislative elections that are much greater than those in the southeast
and south. Basic indicators of pluralism, which are the effective number of par-
ties (ENP) based on votes in gubernatorial contests and share of seats in the
legislature, are lower on the conservative side, denoting the dominance of estab-
lished elites there. As the mean legislative concentration scores attest, the
parties of the winning and rival coalitions garner on average 79 percent of the
seats in the state legislature, another reflection of the oligarchical nature of pol-
itics in these states. These characteristics of low political competitiveness and
pluralism map onto differences in socioeconomic development, as these states
are those with the lowest GDPs per capita. The alternative to being mobilized from above is the development of an
autonomous base for self-mobilization. Since clientelist exchange (troca de fa-
vores) narrows the polity to patrons and their clients, any effort to expand the
autonomous organization of a broader network of civic activism challenges
these structures (Abers 2000). With the transition to democracy in 1985 came
have rights” (1998). Social mobilization based on social justice rights claims empowered the poor and oppressed to organize and participate (Avritzer 2002; Friedman and Hochstetler 2002). At the same time, the establishment of popular councils (conselhos populares) in major municipalities such as Porto Alegre and Belo Horizonte opened the way for institutionalizing participatory forms of policymaking, including in the budgetary process. Citizens map out priorities for the next budget cycle in what, to date, have been dozens of well-attended meetings. Though the particulars of municipal budgets are drafted by elected state and local officials and regional delegates, participatory budgeting made public accounts more transparent by expanding popular oversight through the development of the abilities of low-income citizens to become involved in public policymaking (Baiocchi 2005; Wampler 2007). These processes cultivate horizontal ties among civil societal groups, thereby weakening their incentives to engage in clientelist exchange and enabling alliances that make social mobilization and participation more robust (Wampler and Avritzer 2004).

The expansion of movements and nongovernmental organizations (NGOs) and processes such as participatory budgeting was promising, but they produced considerable disappointment when compared to their once-high expectations. The activism of the movements dwindled in the years following the transition, in part because individual members branched out into NGOs and other CSOs (Alvarez 1993). Notably, Brazilian CSOs did not fragment, but instead created rich, collaborative networks during the 1990s that held out the hope of more fundamental change (Hochstetler 2000). Lula’s election in 2002 galvanized these hopes, as did his promise to listen to the CSOs. However, the new administration’s commitment to neoliberal reform with reformist social policies dashed the hopes for more fundamental redistribution held by unions, landless peasant movements, and other CSOs (Hochstetler 2008).

Another disappointment was the popular councils that continued to be lionized abroad as models of good government, but which produced mixed results at home. While some scholars found empirical evidence in Porto Alegre that budgetary policymaking increased civil organization membership (e.g., Abers 2000: 166), studies conducted elsewhere showed inconsistent increases in participation (cf. Baiocchi 2005; Nylén 2002, 2003). The underresourcing of municipalities and the diversion of popularly approved funds for political purposes also undercut the efficacy of participatory budgeting as a pro-poor policymaking device (Goldfrank 2007; Wampler 2007, 2008).

Despite the diversity of opportunities to participate and a history of sustained participation at all levels of the Brazilian federation, there is a persistent inequality in who participates. Women, ethnic minorities, and the poor are less likely than men, whites, and the middle and upper classes to participate in organizations such as political parties or run for office. Given that the political class is highly educated in Brazil, with over 80 percent holding advanced university degrees, it is not surprising that the extreme inequalities inherent in the
educational and class systems keep most Brazilians out of this class (cf., Araújo and Alves 2007). In this sense, the historical exclusion of Afro-Brazilians from higher education is particularly weighty as an explanation for the paucity of political representatives of black or mixed race (Johnson 2008; Telles 2004). Although they comprise more than half of the population, women have failed to improve their presence in the federal Congress or state legislatures. Since 1997, federal law requires political parties to apply quotas increasing the number of women they place on the ballot for federal deputy, but the parties backslide regularly and enforcement is rare. As a result, Brazilian women enjoy fewer shares of seats in the Congress (only 8.8 percent) than in other countries with quotas and even those without (Araújo and Alves 2007: 535–536).

Part of the problem is the double-edged nature of Brazilian political institutions, which expand opportunities for many, but fail to enable the less well-off to afford the resources needed to sustain participation. In the electoral arena, large district magnitudes, proportional representation, open-list ballots, low thresholds, and many small- and medium-sized parties (including several on the left that are more open to diverse candidate lists) are factors that normally improve the chances that women and minorities can gain seats in the legislature. But these same conditions put a premium on individual politicians mustering ample campaign finance and the support needed within the subnational political and the party elite to gain a toehold against so much competition (Htun and Jones 2002).

The role of participation in the judiciary is noteworthy, as Brazil has become quite a litigious society. An estimated half million cases are brought against the federal government every year with the total per judge rounding out to 5,000 (Arantes 2005: 237). Litigiousness expanded rapidly soon after the democratic transition as societal organizations used the judiciary more extensively in a variety of areas to enforce consumer rights, environmental regulations, civil rights, the defense of the rights of children and minors, and to address unequal quality in public education and health care. Many of these cases were intended to overturn or, more frequently, simply delay or delegitimize legislation passed by Congress (Taylor 2008). One of the most commonly used mechanisms, the Direct Action of Unconstitutionality (Ação Direta de Inconstitucionalidade; ADIN), was enacted by the 1988 Constitution to allow prosecutors, the branches of government (Congress and the presidency), state governors, and organizations with a national representative function (e.g., the national bar association, political parties, labor unions) to challenge the constitutionality of any measure. Any political party with as little as one seat in the Chamber retains standing to bring ADINs before the high court.

Whether institutions enable or undermine participation depends also on how much self-confidence and determination to enact change a particular group may have. Elites and the dispossessed evince a self-serving malaise in Brazilian politics that is captured by the pro-incumbency tendency known as governismo, which pervades alliances. As conservatives and former members of the promilitarist National Renovating Alliance/Social Democratic Party (Aliança Nacional Renovadora/Partido Social Democrático; ARENA/PSD) were fond of saying, “Se ha governo, eu apoio!” (“If there is a government, I support it!”). This position is strategic, as allying oneself (and one’s party) with the government opens up access to patronage (Power 2000).

The governista tendency is not limited to the behavior of political elites; it is also evident in mass behavior. The penchant for governismo is most apparent in the poorer regions of the country. Analysis of electoral results for the past three presidential contests shows that the less developed municipalities and states of Brazil tend to support the incumbent no matter the candidate or his program (Almeida 2006: 56–57).

Lula’s reelection in 2006 confirms the erstwhile tendency of the poor to support incumbents and for the same reasons. In the 2006 elections, the PT suffered setbacks due to the corruption scandals of the first term, losing seats in the Chamber and the Senate for the first time in its history. What is striking about this was that the party did better in the states of the center-west, southeast, and south than their presidential candidate, who won resounding victories in the states of the poor north and northeast, where he garnered 65 and 85 percent of the vote, respectively. This is one explanation why, despite his government’s problems with corruption, northern and northeastern respondents (N = 388) to the 2007 LAPIP Brazil survey give Lula more credit on anticorruption efforts than respondents in the south and southeast (N = 701) (χ² = 2.99, p < 0.05).

Lula’s electoral success was more consistent with the historical pattern of conservative forces supporting the incumbent, albeit in this case the candidate and not his party (Hunter and Power 2007: 9–11; Zucco 2008b). This support is typically based on a pragmatic response to material incentives, a factor that pervaded the case of the presidential elections of 2006. Lula was closely associated with his signature cash transfer program, the Bolsa Família (Family Grant), an array of social programs originally initiated under his predecessor, Cardoso. As a conditional cash transfer (CCT) program, Bolsa Família grants families earning less than R$120 per month (US$60) a subvention provided they keep their children who are six to fifteen years old in school more than 85 percent of the time. By expanding Cardoso’s CCT programs after 2003 and uniting them administratively under a single user-card access system (the Cadastro Único), the Bolsa quickly became Lula’s central material argument in favor of a second term (Melo 2008). And the significant correlation between the distribution of social spending under the Bolsa Família program in the months prior to the 2006 presidential election and voters’ support for Lula confirmed the utility of the tactic (Carreirão 2007c: 104–106; Zucco 2008a). This was also true for turnout, indicating that the poor continue to respond to material incentives to participate, whether those signals are provided by conservative or left-leaning elites (Hunter and Power 2007: 20).
An alternative interpretation of this outcome is more positive for the quality of democracy: poor voters are inclined to vote their interests and this may weaken entrenched oligarchies. If we turn to the subnational level, there is evidence for this view in how the electorate in states such as Bahia and Sergipe, which have long been run by oligarchical families, dumped those allegiances in favor of Lula and, in some cases, PT gubernatorial candidates in 2006. One explanation is that poor voters' material interests are broader than the response to Bolsa subventions suggests. In the 2006 vote, even non-Bolsa recipients plumped for Lula in areas that benefited indirectly from CCTs (Zucco 2006b). Broad economic improvements, such as a 13 percent real improvement in minimum wages and low inflation for basic foodstuffs, reinforced retrospective voting in favor of the incumbent (Carraro et al. 2007). Notably, middle-class and upper-class voters in the poorest regions supported Lula based on overall improvement in the economy of these areas that saw double-digit growth during the president’s first term (Sola 2008: 42). In this sense, then, Lula’s good governance was rewarded and in the regions of the country most in need of this performance.

Yet if our concern is with improving the procedural quality of democracy, then good governance in this case veiled the persisting defects in Brazilian democracy. Lula’s reelection did not strengthen the PT as a national party, mass partisanship, or otherwise reconfigure the political system in favor of programmatic government. Voters’ support for the incumbent rewarded demonstrated good government, but did not sustain a form of participation that guaranteed its continuation. Moreover, Lula’s success did not guarantee that government would become more accountable; just the opposite. Lula’s good governance kept his electoral hopes alive in the face of massive political corruption. In this sense, the exigencies of greater elite accountability parted ways with elements of good governance.

**Harder Accountability, Softer Corruption**

In liberal democracies, elite accountability is the result of both horizontal and vertical forms of oversight, control of law abidance, and ratification of mandates and power. Horizontal accountability relies on intrastate institutions (e.g., the judiciary, the executive, the legislature, oversight agencies, etc.) that enforce legal restrictions on public authorities and, more broadly, require the answerability of public officials to one another (Mainwaring 2003: 11; O’Donnell 2003). The vertical dimension is based on societal organizations, the media, and voting by citizens (Peruzzotti and Smulovitz 2006a). In Brazil, both dimensions of accountability have become more institutionally developed and more interdependent during the democratic period, but political interests and technical problems have often undermined the effective implementation of these rules.

The relationship between the presidency and the Congress is a central dimension of horizontal accountability in Brazilian democracy, but it is decidedly indeterminate. The heretofore mentioned weakness of political parties in the electoral arena compels presidents to distribute financial and political benefits to craft a governing relationship with a majority in the Congress. According to the seminal study by Figueiredo and Limongi (1999), this is done through negotiation with the leadership of the main parties that is organized as the Leadership Council (Colégio de Líderes). Presidential-legislative relations are based on coalition patterns that involve extensive formal and informal arrangements, producing the effect of more disciplined parties in the legislature. This has depended on the doling out of key cabinet posts, something that has varied in degree and scope with different governments. Coalition dynamics are said to be relatively stable when cabinet assignments predict the tendency of politicians affiliated with the parties in the cabinet to vote with the government (Amorim Neto, Cox, and McCubbins 2003). When coalition dynamics have achieved some stability, Brazilian presidents have retained a set of understandings with mostly the center and center-right parties. Cardoso’s first term was reflective of this set of conditions. Under other administrations (e.g., Fernando Collor 1990–1992 and Itamar Franco 1992–1995) coalition dynamics were unstable. The result is a formula for governance that is highly contingent and therefore hardly sufficient to guarantee collective responsibility between the executive and the assembly (Ames 2001, 2002).

Congress retains direct oversight functions, but these are most typically shaped by the underlying partisan understandings that exist (or do not exist). Since the 1988 Constitution, Congress has had the authority to form Parliamentary Investigative Committees (Comissões Parlamentares de Inquérito; CPIs) to exert oversight on the president and its own members and to report findings to the Public Ministry (Ministério Público; MP) for possible civil or criminal prosecution. Yet the context in which a CPI is formed makes these devices vulnerable to political manipulation. If a strong majority in the Chamber and the Senate support the government, CPIs cannot be initiated, even if the idea gains much citizen support (Sadek and Cavalcanti 2003: 216). Many CPIs are initiated as a bargaining chip with the government or opposition parties; therefore few are concluded with any sort of legal action (Figueiredo 2003: 176).

Further evidence that coalitional dynamics shape oversight functions is the fact that breakdowns in executive-legislative relations have been at the center of corruption scandals involving the PT and the Lula government. Not wishing to follow Cardoso’s style of governing too closely, Lula increased the number of cabinet ministries from twenty-seven to thirty-five, but he concentrated appointments in his own PT. Bereft of some of the mechanisms for building legislative backing for reform, some leaders of the PT used bribery to secure this support. The mensalão scandal and its associated network of pay-to-play transactions can thus be viewed as a problem emerging from the undermining of
coalitional dynamics or a particular problem of a minoritarian approach to forming cabinets.

Politics, of course, do not just govern oversight functions; they also determine the kinds of corrupt practices in which public officials engage. These acts are varied, though they most commonly involve exchanges of policy outputs for cash or policy changes meant to enrich the legislators after passage. For example, the mensalão scandal was a case of the government buying the support of legislators for policy. Campaign finance has emerged over the years as one of the chief areas of malefeasance, partly because of its importance in engineering political success and partly due to the informal webs of influence and exchange of policy outputs that sustain it beyond the gaze of public or official oversight (Samuels 2006b).

If what is illegal threatens elite accountability in Brazil, what is legal is perhaps more of a threat. Returning to campaign finance, the lack of legal limits on contributions gives individuals with interests in acquiring political support in Congress strong incentives to “invest” large amounts in candidates. Since political careers are long and stretch from local to national and most often back to local and subnational politics, politicians have good reasons to cultivate financiers by providing continued returns on their investment in the form of public policy outputs, or pork (Samuels 2006b). The small and mostly familiar (i.e., family and friends) networks of contributors backing each politician strengthen contributor monitoring and sanctioning of politicians who might otherwise renge on their promises. As a result, the provision of pork and the continuation of campaign finance investment are strongly correlated (Samuels 2002). While not strictly illegal, the incentives this system creates are perverse, and they have been shown in recent years to lead down a slippery slope to more genuinely corrupt practices.

The judiciary is often called upon to sort out the truth and reinforce the citizenry’s confidence in democracy. Though the courts are reactive entities that, unlike the legislature, do not have the power to act on policy unless they are called to do so, the judiciary has exerted a critical gatekeeping role on policymaking in Brazil. As already noted, the courts have been a venue for many different political and societal groups that have assembled legal challenges to policy decisions made by the government. Even opposition political parties, having lost a vote in the legislature, can turn to the courts to challenge laws. Not surprisingly, then, the Supreme Federal Tribunal (Supremo Tribunal Federal; STF) has considered more constitutional challenges to legislation than any other supreme court in the hemisphere (Taylor 2008: 13–14). Injunctions issued by the STF, especially in response to an ADIN, either can suspend implementation of a law or can strike the law from the books if deemed unconstitutional. Such actions are universally binding and are not subject to appeal. Appellate and federal district court dockets are likewise loaded down with challenges to government policies. Indeed, one favorite tactic of the PT when it was in opposition was known as “juridical guerrilla warfare” (i.e., filing broad judicial challenges to policies throughout the lower court system).

While the 1988 Constitution made the judiciary more independent, it did not make it more functional or accountable. First, the weight of escalating case-loads at all levels, but especially at the STF, has produced gross inefficiencies in the judiciary. Since the high court cannot establish precedent that applies to the whole system, the judges of the STF must rule on each and every case brought before it. This can amount to an astonishing burden of hundreds of thousands of cases per annum. Second, the judiciary has increasingly become involved in the electoral process, exposing itself further to political interests wishing to change the rules of the game in their favor. An increasing volume of court cases is brought with each election, often against the application or the content of electoral rules and procedures. Arantes estimates that in the 2002 elections alone, there was an average of thirty-two legal actions for each of the 1,654 executive and legislative positions to be filled by voters (2005: 246). In that same year, the STF ruled that party coalitions across the state and federal levels had to be the same, thereby involving the judiciary in the composition of partisan alliances. Finally, the politicization of the courts has exposed the judiciary to undue influences from other institutions, and especially other branches of government such as the legislature, the presidency, and subnational governments (Arantes 1999: 91–92). In some cases, judges have been influenced by politicians and private business in ways that move beyond a mere conflict of interest to outright corruption of scandalous proportions. One of the most notorious was exposed by a sting operation (Operação Anaconda) that exposed a US$65 million kickback scheme in São Paulo involving a federal judge and private contractors in 2004.

For these reasons, judicial reform has become a major focus of legislative efforts to modernize the Brazilian state’s oversight and anticorruption functions. Taylor counts no fewer than forty reforms proposed between 1988 and 2004 (2008: 29–30). The most important of these changes came in December 2004 when a comprehensive judicial reform was passed by Congress. Meant to ease overburdened dockets, especially at the STF and STJ, and reduce the use of the courts as a political weapon, the 2004 reform strengthened upper-court precedent setting and made appeals more difficult. Significantly, it created a National Judicial Council (Conselho Nacional Judicial) to impose greater administrative control on lower courts, particularly on widespread practices of nepotism and other conflicts of interest.

The investigatory and prosecutorial capacity of the state has expanded markedly since the transition to democracy. The 1988 Constitution strengthened the office of prosecutor general, the MP, and with it, an emerging body of civil law in defense of collective rights (Arantes 1999, 2003; Kerche 2007). The MP has
responsibility over constitutional matters, individual and group rights, and oversight over the administration of public policy at all levels of the federation. As an assessor of constitutional responsibilities, it is one of the institutional actors that has standing to bring an ADIN to the STF against any of the branches of government. The MP also has at its disposal a host of procedural actions, including civil summary proceedings and public civil actions (class-action lawsuits) that act in defense of the collective rights of citizens. The MP is fully autonomous from the executive and the judiciary, and it retains jurisdiction over all levels of the federation. At present, Brazil has 9,662 state and 338 federal prosecutors (Calvancanti 2006). Appointment of the ministers is based on merit, and job security is guaranteed for life. The MP is also accessible to the citizenry. Individuals’ and organizations’ access to state-level MPs has been eased significantly by allowing citizens to use the Internet or phone calls to file a complaint and initiate an investigation. This empowers citizens considerably and raises the stakes for dishonest politicians. Since 1999, administrative corruption and malfeasance by politicians have been prosecuted as criminal acts punishable by prison terms (Arantes 2003; Sadek and Cavalcanti 2003: 216).

Elected officials have responded to this increased oversight by generally embracing it and even integrating civil societal organizations in public decision-making (Arantes 2005: 253; Calvancanti 2006: 44–45). Congressional politicians have created and used several oversight bodies with governance over ethics rules and the use of public monies. The Federal Accounting Tribunal (Tribunal de Contas da União; TCU) operates independently in an oversight and investigatory function over presidential and congressional accounts. Other mechanisms are the previously discussed CPI and the auditor of state and municipal accounts (Controladoria Geral da União; CGU). These institutions have expanded the transparency of public accounting, making data more easily and publicly available (Figueiredo 2003: 183–186). They have also had their powers enhanced informally by the public. Protests and manifestations during occasional CPIs serve to put pressure on public officials to exert their oversight role in the legislature (Lemos-Nelson and Zaverucha 2006).Media coverage refracts the public’s attention onto the larger questions of corruption and the political class during these events.

Even so, the political class has succeeded in curbing prosecutorial bodies such as the MP. According to a law passed in 2002, officials indicted for malfeasance, including mayors, governors, and federal legislators, cannot be prosecuted at any other level than in the high courts. This effectively undermines the ability of the MP’s extensive subnational network to bring cases against corrupt officials. It also means that thousands of cases against these figures languish on a long waiting list as the massive backlog in cases at the STF is dealt with. That, coupled with the tendency of political interests to shape investigatory processes such as those governed by the CPI or the TCU, means that only a small percentage of cases of official malfeasance reach the stage of indictment or prosecution (Figueiredo 2003).

Even if the development of new institutions of horizontal oversight are made to work more effectively, these institutional changes would make little difference if Brazilian citizens remain complacent. The experience of participatory budgeting and public protests against corruption during CPIs point to the capacity of civil societal organizations to exercise what Peruzzotti and Smulovitz have called “societal accountability,” a nonelectoral form of vertical oversight that can act as an alternative mechanism for enforcing elite accountability, most usefully between elections (2006a). Indeed, Brazilian civil society has pursued all of the major strategies of societal accountability outlined by Peruzzotti and Smulovitz: diverse organizations have mobilized, and they have employed the judiciary and the media to exert pressure on elected officials and bureaucrats. Yet, as I argued in the last section, such bottom-up oversight can be undermined in Brazil by the unsustainability of movements, the tendency of political institutions to protect the interests of incumbents, and the inability of once-empowering participatory institutions, such as those of participatory budgeting and the judiciary, to follow through and actually produce outcomes that encourage citizens to continue their organizational efforts. Blame can also be placed on formal institutions, as the failure of intrastate institutions to exert consistent oversight undermines the capacity of civil society to gain information about malfeasance and corruption (Figueiredo 2003: 191).

Perhaps the factor that most conspires against societal accountability, despite periodic protests and calls for the corrupt to leave office, is the overarching tendency among Brazilian citizens to reward even corrupt politicians who are efficacious. This propensity is captured well by the popular saying “Rouba mas faz” (He steals, but he gets things done). According to the ESEB data, voters are more likely to reward a politician who is highly efficacious and steals a great deal than one who steals much less but is not nearly so effective (Almeida 2006: 44–45). Consistent with my findings in the previous section on the geographic dimensions of conservative and governista tendencies, the rouba mas faz tendency is more acute in the poorer regions of the north and northeast. Using the LAPOP Brazil survey, I assessed the differences in means between the poorer and richer (south and southeastern) respondents in the study who responded to their degree of agreement with the following statements:

1. It doesn’t make a difference if a politician steals. The important thing is that he/she accomplishes what the citizens need done.
2. It is better to have a politician who accomplishes a lot and steals a little than a politician who does little and does not steal at all.
3. A politician who accomplishes much and steals a little deserves the support of the people.
On each of these statements, a statistically significant larger proportion of respondents from the north and northeastern regions supported corrupt politicians who get things done than did respondents from the richer south and southeastern regions. These findings are consistent with what we already know about the distinct attitudes concerning corruption among Lula supporters in the 2006 election in the north and northeast.

Citizens have low expectations of elite accountability because they are exposed daily to the other side of corruption: the impunity of the guilty (Morris and Blake 2009). This is especially evident in the behavior of lower-level officials of the government bureaucracy and law enforcement. Human rights violations committed by the police or gangs of off-duty police and security guards known as milicias and individual justicieros are well-known and highly publicized examples of abuses of power by officials. These cases are, as Pereira argues, indicative of a generalized “ambiguity of law” that oppresses the poor and landless while protecting the rich and powerful (2000). Police violence is often used for political purposes, especially in the more conservative and underdeveloped states where elite responses to the mobilization of landless peasants and urban shantytown dwellers are particularly brutal (Ahnen 2007; Hinton 2009). The fact that so few of these criminal and corrupt acts are punished confirms for many the fact that justice exists for one class of citizens and not for others.

Seen in light of the culture of impunity, Lula’s resuscitation in 2006 underscores some of the consistent themes regarding whether allegations of corruption have consequences in the Brazilian polity. First, contrary to the results shown in the work on mass partisanship, education levels matter in forming these political perceptions. The illiterate are willing to accept patrimonial and even venal actions by their elected officials to a much greater extent than the more educated. Second, social class interacts with education to determine voters’ responses to corruption. As education and household income rise, voters are less tolerant of corruption. Lower-class and less schooled voters simply vote their pocketbooks, supporting the incumbent if times have been good or voting for the opposition if times have been bad (Almeida 2008). Accordingly, Lula retained the support of low-income groups, but he lost precipitously the support of middle- and high-income voters in the months following the mensalão scandal. Third, press accounts of corruption can sway public opinion against the incumbent. To be sure, education, class, and access to public media interact to explain whether or not voters support a politician tainted by allegations of corruption.

Responsive Government Within Reason

Elite accountability is only possible if citizens are able to detect deviations in policy from previous promises to the electorate and voters retain the means to punish unresponsive government. If responsiveness is defined and measured in terms of citizen preferences for outcomes as opposed to particular policies, then the administrations of Cardoso and Lula have been responsive in providing macroeconomic stability, most notably beginning in 1994 with Cardoso’s Real Plan, and modest improvements in social welfare. If the concept is defined and measured in terms of preferred policy—the mechanisms of how to achieve these goals—citizen wants and government responses have not jibed as well in Brazil.

What Brazilian citizens want can be studied in terms of the issues with which they are most concerned and by the broader principles of what they prefer from democracy and the state. Regarding the former operationalization, surveys consistently show a concern with the economy, personal security, and government probity. According to the LAPOP 2007 Brazil survey, these matters were represented well at the top of the list of respondents’ definition of the gravest problems facing Brazil: unemployment (20.6 percent), violence (18.8 percent), and corruption (13.6 percent). Table 6.2 lists the salient expectations of respondents regarding democracy and the state. The numbers demonstrate that Brazilians have a strong preference for democracy and for a socially activist state, though not one that undermines the freedom of choice of firms and workers. The theme of personal freedom is especially present in how Brazilians define democracy. The more frequent expressions revolve around personal liberty (e.g., freedom of speech, the vote, freedom to choose leaders, etc.) (LAPOP 2007). The general picture is that Brazilian citizens care profoundly about policy outcomes that affect their economic and personal security, and they are concerned about the means used to produce those policies.

<table>
<thead>
<tr>
<th>On Democracy</th>
<th>Agree/Agree Strongly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democracy is the most preferable form of government.</td>
<td>71.5</td>
</tr>
<tr>
<td>Sometimes authoritarianism is more desirable than democracy.</td>
<td>19.1</td>
</tr>
<tr>
<td>The country’s problems can be solved with the participation of all.</td>
<td>93.3</td>
</tr>
<tr>
<td>Electoral democracy is more favorable than an unelected, strong leader.</td>
<td>87.4</td>
</tr>
<tr>
<td>On the Role of the State</td>
<td></td>
</tr>
<tr>
<td>It is the duty of the state to diminish inequality between rich and poor.</td>
<td>81.6</td>
</tr>
<tr>
<td>The government should cut social services to reduce taxes.</td>
<td>15.9</td>
</tr>
<tr>
<td>A richer Brazil should not worry about inequality.</td>
<td>24.3</td>
</tr>
<tr>
<td>The less the government intervenes in the economy, the better.</td>
<td>40.1</td>
</tr>
</tbody>
</table>

Sources: Latin American Public Opinion Project (LAPOP), Brazil 2007 Survey.
The Cardoso and Lula administrations were able to satisfy citizen preferences concerning policy outputs at an aggregate level by producing and sustaining macroeconomic stability (especially inflation control) with modest poverty alleviation and redistribution. But the process for arriving at these results depended upon technocrats working out the details ensconced in popular oversight or input. For example, Cardoso’s Real Plan was entirely crafted within the economic bureaucracy and issued through a presidential decree, virtually as a surprise tactic on an unsuspecting public. Like many of the ill-fated anti-inflationary shock plans that preceded it, the government invited no public debate on the matter.

Despite much talk about consulting with civil society on social reform, neither administration created a workable process for doing so. Cardoso placed his wife, Ruth, a well-regarded anthropologist and scholar of social movements, as head of the newly created Council of the Solidarity Community to engage with CSOs. Yet little came of these efforts and subsequent attempts to pass legislation to formalize partnerships between the state and CSOs (Friedman and Hochstetler 2002: 29–30). Lula made more of an effort to consult by scaling up the existing Economic and Social Development Council (Conselho de Desenvolvimento Econômico e Social: CDES) and, at least episodically, meeting with dozens of CSOs to iron out the administration’s legislative agenda. As with the Solidarity Community, little came of the CDES, as the government felt neither compelled nor constrained by its recommendations. Social actors ranging from the unions to the landless peasant movement defected from CDES, preferring to return to a more fundamental critique of the neoliberal policies Lula’s government was pursuing (Hochstetler 2008: 43–44).

What these experiences underscore is that there exists a strong delegative element in the relationship between the political class and civil society in Brazil that is at the core of the problem of responsiveness. Brazilian governments are open to talking to civil society, but not to negotiating with CSOs. Even in cases of participatory budgeting, CSOs may voice their ideas, but the details of municipal budgets are hammered out exclusively by city councils and mayors.

Even if the process is not as transparent or consultative as many Brazilians would like, are the results of policymaking responsive on the output side? Given the complexity of democratic responsiveness in Brazil, any summary of public opinion regarding it is likely to be an incomplete indicator. However, public opinion concerning the efficacy of the vote, particularly the assessment of whether elected officials are carrying out the will of citizens, can be a valid and useful index for responsiveness (Powell 2005: 73). By this measure, Brazilian governments are insufficiently responsive. Figure 6.1 shows results from the LAPOP 2007 Brazil survey regarding the responsiveness of the Lula administration. More respondents opined that the government was less responsive on the top issues—unemployment, fighting corruption, and improving personal security—than those who believed it was strongly responsive. Notably for a
left-of-center government, more respondents felt that Lula’s government was not doing enough to protect democracy, human rights, or even fight poverty. So on both the policy output and the process dimensions, the Lula government fell short.

Brazilians want effective, socially responsible, and clean government, but they have been repeatedly frustrated by many of the tendencies discussed in the previous sections on elite accountability and participation. This is one of the main reasons why CSOs have increasingly turned away from seeking partnerships with the federal government.

**Sovereignty Unbound?**

Sovereignty represents a strong point for the quality of Brazilian democracy. Despite a history of twenty-one years of bureaucratic-authoritarian rule marked by military dictatorship between 1964 and 1985, civilian leaders gained ministerial control over the armed forces several years after the transition (Hunter 1997; Stepan 1988). Though scholars during the early 1990s continued to wring their hands over the survival of democracy in Brazil, it is now apparent to most observers of the country that Brazilian democracy is no longer under any existential threat from the military (Kingstone and Power 2008: 2). As the largest and most powerful country in South America, Brazil has little to fear from foreign governments. The erstwhile rivalry with Argentina, which at one point included an arms race during the period of dictatorial rule in both countries, ended during the early 1990s with a series of accords concerning collective security and the peaceful use of nuclear energy. Cardoso and Lula even implemented a National Military Defense Strategy that calls for the redeployment of troops from the quiet southern border to the north to bolster the Amazonian defense network. Regarding economic constraints, Brazil continues to generate a relatively high debt that stands at 45 percent of the GDP. However, most of the national debt is held by domestic investors in official bonds. Progress on reducing the debt has been steady throughout the Lula years as the government has continued to run a primary surplus. External debt levels have declined under Lula from 14.5 percent of GDP in January 2003 to 4.0 percent in January 2010. And tax revenues have continued their increase from the Cardoso years. In short, the Brazilian state enjoys a great deal of autonomy and is not beholden to any particular veto player, foreign or domestic.

One of the core reasons for high sovereignty in Brazilian democracy is the acceptance of democratic processes by the political right. In the face of both the rise of leftists to power (Lula’s presidential near-victory in 1989 and actual victory in 2002) and economic turbulence between 1985 and 1994—two factors that in the past spelled the end of democracy in Brazil—conservative parties and the military retained their acceptance of the democratic rules of the game. Even conservatives’ early opposition during the transition to democracy to consolidating civilian ministerial control over the armed forces faded. After many years of the armed forces having cabinet-level branch ministers, Cardoso was finally able to create a single, civilian minister of defense in 1999 with backing by all of the conservative parties and the armed forces (Mainwaring, Meneguello, and Power 2000: 220).

Nonetheless, the armed forces do maintain reserved veto powers that prevent civilian governments from having the widest possible control over the military. Under the 1988 Constitution (article 142), the armed forces retain ultimate authority to intervene in the democratic process in the face of threats to “law and order.” This undermines the president’s authority as commander-in-chief, as the unified military may interpret threats to internal security as coming from the actions of the president. Since constitutional law is vague on what constitutes a threat to law and order, the generals are free to interpret a president’s actions as being within or outside the boundaries of the law. The generals also claim de facto autonomy over areas of military technology. This is especially relevant to the management of the Amazonian satellite surveillance system known as SIVAM. Congress approves spending on the system as part of the military budget, but it retains little oversight over the network or the building of new weapons systems. The same is true of the national nuclear industry, which politicians do not control directly and understand only incompletely. Such holes in civilian control over the armed forces raise troubling questions about who maintains ultimate authority over the use of military force (Hunter 2000: 119–122).

**Conclusions**

Reflecting on the quality of democracy in Brazil since the first years following the transition, one must agree with Hagopian that it has improved in some major respects (2005). Nevertheless, Brazil’s quality-of-democracy score as calculated by Levine and Molina (Chapter 2) gives the country a decidedly middling ranking within Latin America. This finding, I have argued, is the result of several factors that weigh down the quality of democracy. The most persistent of these are the many tendencies that dilute the otherwise potent mixture of high levels of participation, hardened institutions of elite oversight and prosecution, responsive good government, and high sovereignty over economic and national security areas of public policy. The weakness of programmatic government; the persistence of conservative and oligarchical political interests; the delegative aspect of policymaking; and even the indifference, or simply the numbness, of citizens to the impurity of the few all create a drag on the quality of Brazilian democracy.

Making sense of the Brazilian puzzle requires understanding the core contradiction between the history and institutional mechanisms that enhance participation with all those that make this participation, and the elite accountability
and government responsiveness that it should foster, uneven. The Brazilian case confirms Levine and Molina's judgment that the quality of electoral decision-making and participation are closely associated. But the unequal access that Brazilians have to education undercuts the potential for capitalizing on a highly mobilized civil society. The courts, participatory budgeting, and the political parties have proven inconsistent vehicles for channeling popular interests into policy change. More often than not, the opponents of change have superior access to the decisionmaking process, and they are able and willing to use that access to short-circuit the organization of civil society.

This study argues that much of the popular support of recent governments in Brazil is the result of material outputs, especially for the poor. Though these elements of good governance are important, not least to beneficiaries, they obscure the need to strengthen procedural and oversight functions of the policymaking process. If policy outputs do not guarantee improvements in democratic practice, it is also true that enhanced democratic process does not necessarily ensure good policy results. Where government has become more accountable and responsive, and where civil society has taken advantage of expanded opportunities for participation, the results are sometimes disappointing nonetheless. For example, recent work on participatory budgeting in Brazil finds little evidence of improved fiscal management (World Bank Report 2008) or sustained welfare-enhancing benefits on any of the indicators of social well-being, including infant mortality, adult illiteracy, the municipal Human Development Index, and the Gini coefficient.19

At this point in the research program, one can claim only that the study of the quality of democracy in Brazil has several theoretical and methodological payoffs. First, the differences and sometimes contradictory interactions between democracy and good governance require much more comparative analysis. This study suggests that all good things do not go together, and so it is with democracy and governance. Scholars ought to investigate under what conditions these processes can be made mutually reinforcing. Second, the sometimes stark differences across Brazil's dimensions of democratic quality reinforce the call by theorists such as O'Donnell (1994b) and Schmitter (1997) to disaggregate democratic regimes into component parts. Levine and Molina's (this volume, Chapter 2) treatment of the quality of democracy is actually an evaluation of the qualities of democracy, so the present research project is very much in keeping with this line of thinking.20 One contribution of this chapter underscores that one of these qualities involves a geographic component. This is evident in the differences in political attitudes, opportunities for elite oversight, and autonomous participation that exist between the poor northern and northeastern states and the more developed states of the southeast and south. Further exploration of the quality of democracy in Brazil will need to develop an understanding of the geographic dimension using comparative methods.

Notes
1. The last military president, General João Baptista de Oliveira Figueiredo (1979–1985), refused to pass the sash to José Sarney (1985–1990), who had been Tancredo Neves's vice president when Neves died before the inauguration. Neves had been elected indirectly by an electoral college. The directly elected Fernando Collor (1989–1992) received the sash but failed to serve out his term completely as he was impeached for corruption. His vice president, Itamar Franco, passed the sash to Cardoso in January 1995, but it was not until January 2003 that two directly elected presidents exchanged the sash.
3. For more detail, see Carreirão (2007b); Carreirão and Kinzo (2004); Hagopian (2005: 139); Kinzo (2005); Reis and Castro (1992); Singer (1999).
4. These numbers are no doubt inflated by the obligatory vote, a statutory requirement that citizens go to the polls.
5. Efforts to correct for this through affirmative action are spreading throughout federal universities in Brazil. See Johnson (2008: 222–227).
6. The extensive use of ADINs is notable. Taylor finds that the measure was used more than one thousand times between 1988 and 2002, though as noted below, the success rate is low and variable (2008: 78–83).
7. As an indicator of how potentially obstructive the ADIN can be, Arantes estimates that one-quarter of those issued during the 1990–2003 period were brought by parties with fewer than 5 percent of the seats in Congress (2005: 243).
8. This leaves open the question whether, over time, the parties have actually become more internally disciplined. Nicolaï presents evidence for that trend during the 1990s (2000), while Arnes shows that deputies regularly ignore their party leaders on vote recommendations (2001, 2002). The results of this debate remain, in the words of Amorin Neto, "an unresolved enigma" (2006: 142). See also Amorim Neto (2002); Figueiredo and Limongi (1995, 1997, 1999, 2002); Figueiredo (2001); Pereira and Mueller (2003).
9. CPIs can be formed by either chamber or jointly. Under rules in effect in 2010, the Chamber can only have five CPIs functioning simultaneously. New CPIs are held in abeyance until a spot opens up or if an extra CPI is authorized by majority vote.
10. The STF is one of the five high courts in the Brazilian system, though it is the court of last instance on constitutional questions involving all levels of the federation. The Superior Justice Tribunal is the high court on nonconstitutional questions. The three others are limited to particular domains of law: the Superior Military Tribunal, the Superior Electoral Tribunal, and the Superior Labor Tribunal.
11. The chances of either happening are more remote. Taylor finds that injunctions are granted only 24 percent of the time and findings of unconstitutionality are rare still at 11 percent of the time (2008: 79).
12. The courts of appeal under the Superior Justice Tribunal include five regional federal tribunals staffed by 130 judges. There are 560 courts of first instance, the equivalent to the 94 district courts in the United States, and they are staffed by 590 judges (Arantes 2005: 236).
13. Constitutional Amendment 45 (December 2004) established the simulâma de efeito vinculante (summary of binding effect)—a power allowing two-thirds of the judges on the STF to establish a precedent binding on all other courts in the Brazilian system. While the restrictions on appeals and the simulâma vinculante strengthened the higher courts, it did little to reduce the dockets of the lower courts, which still swell with frivolous and politicized cases.
14. Another entity that existed prior to the 1988 Constitution, the Federal Police, has also expanded its role, largely in conjunction with the MP.

15. The structure of the MP follows the divisions in Brazilian court jurisdictions across common law, military justice, and the labor courts with federal and state prosecutors in each of these areas. Only the federal prosecutor can bring cases before the two high courts, the STF and the Superior Justice Tribunal. For a more complete analysis of the MP, see Arantes (2003); Kerche (2007); Sadek and Cavalcanti (2003).

16. The statistics from the independent-sample t-tests in order of the questions 1 (RM9): $t = 7.83, p < .001$; 2 (RM10): $t = 8.46, p < .001$; 3 (RM14): $t = 6.68, p < .001$. Nonrespondents and those who could not make up their minds were removed from the analyzed cohorts.

17. See Manin, Przeworski, and Stokes (1999); Peruzzotti and Smulovitz (2006a); Powoli (2000); Stokes (2001).

18. Other national surveys in Brazil confirm this hierarchy. See Almeida (2006: 28).

19. The HDI is an index scaled 0 to 1 based on a composite of three indicators of well-being: life expectancy, per capita income, and educational attainment. The Gini coefficient is a commonly used index for income and wealth inequality. Technically, the number represents the area between the arc and the line of equality in the Lorenz curve. The index ranges from 0 for perfect equality to 1 for a society in which one person has all income or wealth.

20. The disaggregation principle is also underscored by recent studies of Brazil. See Hagopian (2005); Kingston and Power (2008: 6).