

Brazil's Parliament and other political institutions

SUMMARY

With an area of nearly 8.5 million km² and a population of around 212 million (approximately twice the size of the EU with half the population), Brazil is Latin America's largest and most populated country, the biggest democracy (and, despite many observers' concerns over the current state of democracy) one of the [freest countries](#) in the region. It is politically organised as a Federative Republic, formed by the Union, 26 states, 5 570 municipalities and the Federal District (Brasilia).

The Brazilian Constitution establishes the principle of the separation of powers of the Union into legislative, executive and judiciary. The executive power is vested in the president of the Republic, who is both head of state and head of the government. The president is elected by universal suffrage, together with the vice-president, for a four-year mandate, and can be re-elected only once. The judicial power is exerted by different organs and courts at national and state level. Finally, the legislative power is vested in the National Congress, a bicameral Parliament with a chamber of deputies and a federal senate. Following the 2018 legislative elections, there are [30 different parties](#) represented in the Chamber of Deputies and 21 in the Senate. Currently, the proportion of women deputies is 14.6 %, and senators is 13.6 %, one of the lowest in the region.

Due to its history and its continental dimensions, Brazil is a very diverse country in terms of culture, population and religion. It has assumed a leadership role in the region, and has been firm in its commitment in multilateral world fora and South-South cooperation.

Brazil is a strategic partner of the EU. The European Parliament maintains a regular bilateral dialogue with the Brazilian National Congress through its Delegation for Relations with Brazil, as well at a multilateral level through its Delegation for the Relations with Mercosur and the EuroLat Parliamentary Assembly.



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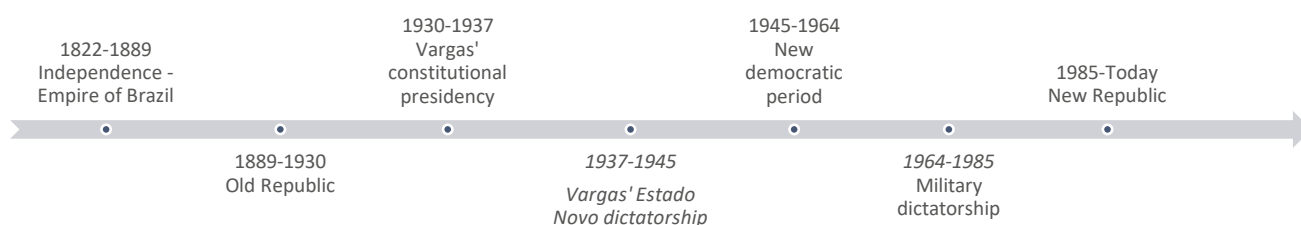
Introduction

Brazil is the largest and most highly populated country in Latin America, with an area of nearly [8.5 million](#) km² and a population of around 212 million. A Portuguese colony from 1500 until its independence in 1822, it remained a [monarchy](#) – the Empire of Brazil – for the next 67 years, an exception in a region of newly independent republics. The country only became a republic in 1889, with the proclamation of the [United States of Brazil](#). This first republican period – also referred to as the Old Republic – was characterised by the domination of political life by the economic elites of the South, and came to an end when the 1930 military coup gave the presidency to [Getúlio Vargas](#).

Vargas would remain in power until October 1945, when he was overthrown by the military, but was democratic president again from 1950 until his [suicide in 1954](#). Despite his authoritarian side, Vargas has been credited with the modernisation of Brazil. Among other things, he gave women the right to vote and increased workers' rights. This new democratic period, dominated by Vargas' Brazilian Labour Party (PTB), ended with the military coup of 31 March 1964 against President Joao Goulart. From 1964 until 1985, Brazil would suffer one of the longest dictatorships in Latin American history.

The current democratic period – the New Republic – began in 1985 with the election of [Tancredo Neves](#), who died just before assuming the presidency and was replaced by his vice-president Jose Sarney. The present Constitution was adopted in 1988, and Brazilian democracy has consolidated since then. The election of [Luíz Inácio Lula da Silva](#) in 2002 represented the first big shift in power to the left, power returned to the right with [Jair Bolsonaro](#)'s victory in 2018.

Figure 1 – Brazil's political timeline



Source: EPRS.

Brazil's institutional framework

Figure 2 – The functioning of the Brazilian State

	Federal level	State level	Local level
Territory	All the territory of Brazil	26 states + 1 federal district	5 570 municipalities
Executive	1 president, 1 vice-president	1 governor, 1 vice-governor	1 mayor, 1 deputy mayor
Legislative	513 federal deputies (8 to 70 per state) 81 senators (3 per state)	1 059 state deputies in all state assemblies (30 to 94 deputies per state)	51 924 municipal councillors (<i>vereadores</i>) in total (7 to 53 per municipality)
Judiciary	Federal Justice	State Justice	

Data source: O. Dabène, F. Louault; Atlas du Brésil.

The 1988 Constitution defines Brazil as a [Federative Republic](#), formed by four types of autonomous federated entity: the Union, [26 states](#), 5 570 [municipalities](#) and the Federal District (the capital, [Brasília](#)). The exercise of these entities' autonomy is regulated by the Constitution. The authorities and bodies of the Union represent the Federal State at international level. The states and the Federal

District have their own elected governors and legislative chambers and can pass legislation on matters within their competence. Municipalities have their own legislative, governmental and administrative capacities within the powers reserved to them by the Constitution.

[Article 2](#) of the Brazilian Constitution establishes the principle of the separation of powers of the Union into legislative, executive and judiciary (as 'independent and harmonious to each other').

Executive

Brazil is a [presidential federated republic](#), in which the Constitution gives extensive powers to the government. The President of the Republic is head of both state and government, holding executive power and appointing the Council of Ministers. They are elected by universal suffrage, together with the vice-president, for a four-year mandate. The president must obtain an absolute majority of the votes to win in the first round, or a simple majority in a second round; and can be re-elected only once. They do not need the support of the legislative to stay in power, but can be [impeached](#) by Parliament (as was the case with [Fernando Collor de Mello](#) in 1992 and [Dilma Roussef](#) in 2016). Although the [wide powers](#) given to the President by the Constitution have led some to qualify the Executive as '[imperial presidentialism](#)', the President's need for support in Congress and at State level has also led others to consider it rather as a '[coalition presidentialism](#)'.

Since the 2002 elections won by Lula's left wing Labour Party (PT), the vote has been increasingly polarised in Brazil, and the political scene was particularly unstable between 2015 and 2018, when Dilma Roussef was re-elected and later impeached and replaced by Michel Temer in 2016.¹ With Bolsonaro's victory in October 2018, the balance returned to the right. Bolsonaro was elected under the right-wing Social Liberal Party (PSL), but has since founded the Alliance for Brazil. His first year as president was marked by [controversy](#) and [attacks on democracy](#) and basic freedoms – e.g. supporting the prosecution of journalist [Glenn Greenwald](#), or when Bolsonaro joined a protest against coronavirus lockdown measures imposed by governors and mayors where participants called for Brazil's Congress and Supreme Court to be shut down – as well as tensions inside his own government – dismissal of the [Presidency's General Secretariat Minister](#), resignation of his Justice Minister [Sergio Moro](#), dismissal of his Health Minister as a result of the [coronavirus crisis](#).

Judiciary

The function of the [judiciary](#) is to guarantee individual, collective and social rights and to resolve conflicts between citizens, entities and the state. The Federal Constitution gives the judiciary administrative and financial autonomy to do so. Its main organs are the following:

- The [Supreme Federal Court](#) (STF) is tasked with guarding the Constitution; it is the top organ and the last instance of the Brazilian judiciary.
- The [National Justice Council](#) (CNJ), is responsible for improving the work of the judiciary, in particular regarding monitoring and procedural and administrative transparency.

Figure 3 – 2018 presidential election results: 2nd round

Candidate	Valid votes	% of valid votes
Jair Bolsonaro (PSL)	57 797 847	55.13
Fernando Haddad (PT)	47 040 906	44.87
Total valid votes	104 838 753	100

Figure 4 – Brazil's presidents since 2003

President	Presidential term
Jair Bolsonaro (PSL)	2019-
Michel Temer (PT)	2016-2019
Dilma Roussef (PT)	2011-2016
Luiz Inácio Lula da Silva (PT)	2003-2011

Sources: Europa World Plus and Encyclopedia Britannica.

- The [Supreme Court of Justice](#) (STJ) is charged with ensuring the uniform interpretation of federal law throughout the country. It is competent for the final resolution of civil and criminal cases that do not involve constitutional matters or specialised justice.
- The courts of the [federal justice system](#) are responsible for prosecuting and judging, for instance: cases on behalf of the Union, autonomous entities or federal public companies acting as plaintiffs; political crimes and criminal offences committed against the Union; and cases relating to human rights or social security. Each state, and the Federal District, constitutes a judicial section. The federal regional courts are the second instance of federal justice.
- [Labour courts](#) are competent for judging cases involving workers and employers and other conflicts arising from work relations. They include the High Labour Court, 24 regional labour courts and the courts of first instance ('*varas do Trabalho*').
- The [electoral justice system](#) is responsible for organising electoral processes. Its main organs are the High Electoral Court, the regional electoral courts, the electoral judges and the electoral councils.
- The [military justice system](#) deals with military crimes. It is composed of the High Military Court (STM) and military courts and judges.
- The [state courts](#) judge all cases for which the organs above are not competent: most common crimes, family actions, civil actions, etc. It is the busiest component of the judiciary, and has judges of first and second instance.

Parliament

Brazil's [legislative power](#) is exercised by the National Congress ([Congresso Nacional](#)), a bi-cameral Parliament composed of the Chamber of Deputies ([Câmara dos Deputados](#)) and the Federal Senate ([Senado Federal](#)). The competences of the National Congress fall into three categories:

- those related to the functions of the federal legislative power;
- those exerted by its individual chambers when acting separately; and
- those regarding the functioning of joint or mixed committees, where federal deputies and senators act jointly, although they vote separately.

The National Congress has representative, legislative, and scrutiny and control functions. In most cases, the Chamber of Deputies and the Senate function separately, but in a coordinated way. For instance, complementary and ordinary laws are initiated by one chamber and revised by the other. However, in some cases, they exercise exclusive competences. The Congress can also hold [joint sessions](#) of both chambers and establish [joint committees](#), formed by both deputies and senators, although they vote separately. For instance, joint sessions are held to: inaugurate a legislative session, establish common rules of procedure and regulate the creation of joint services, install the president and vice-president of the Republic; acknowledge a presidential veto and deliberate on it; or celebrate important national events and host foreign heads of state. Joint sessions are also held to discuss the annual budget, and to promulgate constitutional amendments.

Among the [joint committees](#) currently functioning in the National Congress there is a permanent committee on budgetary matters, and joint committees on [climate change](#) and [violence against women](#). A joint committee on Covid-19 has recently been established (see box), and a joint committee of enquiry on [fake news](#) has just finished its work.

The Covid-19 Joint Committee

A special joint committee of the Brazilian National Congress, created on 31 March 2020 ([PDL 88/2020](#)), the mission of the Covid-19 joint committee is to monitor the fiscal situation and the budgetary and financial execution of measures related to the Covid-19 global public health emergency. Made up of six deputies and six senators (and their corresponding alternates), the committee held its constitutive meeting on 20 April 2020.

There is a second [Covid-19](#) external temporary committee in the Chamber of Deputies. [Brazil](#) is the Latin American country worst affected by the pandemic.

Source: National Congress website.

The Chamber of Deputies

The Chamber of Deputies (*Câmara dos Deputados*) is the lower chamber of Brazil's National Congress. It has 513 members, directly elected every four years. The [plenary](#) is the Chamber's highest deliberative body, where all deputies discuss and vote the proposals in progress, presided by the speaker. The Bureau, a collegiate body of seven deputies elected for two years, directs the legislative work and administrative services of the House. The Chamber of Deputies has permanent (25) and temporary [committees](#) with legislative and supervisory functions, where proposals are analysed before being submitted to the plenary. There are three types of temporary committee – special, inquiry and external committees. External committees are set up to accompany a specific issue outside the Chamber of Deputies; a good example is the [External Covid-19 Committee](#), established to discuss measures aimed at combating the pandemic in Brazil.

Figure 5 – Chamber of Deputies: permanent committees

• Agriculture, Livestock, Supply and Rural Development	• Human Rights and Minorities
• Constitution and Justice and Citizenship	• Labour, Administration and Public Service
• Consumer Protection	• Mines and Energy
• Culture	• National Integration, Regional and Amazon Development
• Defence of the Rights of Persons with Disabilities	• Participatory Legislation
• Defence of the Rights of the Elderly Person	• Public Security and Fight against Organised Crime
• Defence of Women's Rights	• Roads and Transport
• Economic Development, Industry, Trade and Services	• Science and Technology, Communication and IT
• Education	• Social Security and Family
• Environment and Sustainable Development	• Sport
• External Relations and National Defence	• Tourism
• Finance and Taxation	• Urban Development
• Financial Supervision and Control	

Data source: Congress of the Republic website.

Among the subjects recently discussed in the Chamber of Deputies are environmental issues, such as incentives for the production of [renewable energy](#) in public buildings and an [initiative](#) to suspend a decree excluding the participation of civil society in the National Environment Fund (FNMA). Regarding the current coronavirus crisis, there is a [proposal](#) to amend the Constitution so as to establish an extraordinary tax, financial and contract regime to fight the public emergency, and a proposal for [urgent measures](#) to mitigate the effects of the pandemic on Brazil's indigenous peoples.

The Federal Senate

Brazil's [Federal Senate](#) represents the interests of the 26 federal states and the Federal District. Each federal unit is represented equally (three senators), regardless of population or area. These are elected by a majority system for an eight-year term. The Senate is partially renewed every four years, alternating between one and two thirds of the seats. It is currently composed of 81 senators, of which 54 (two thirds) were elected in 2018. The Senate has among its exclusive competences the power to impeach and judge the president and vice-president of the Republic, ministers and army chiefs (Article 52 of the Constitution). Its work is directed by the Bureau (*Comissão Diretora*). As in the lower chamber, its main collegiate organs are the plenary and committees. As in the Chamber of Deputies, there are permanent, temporary and special committees.

Women in Parliament

Brazil's electoral law requires a minimum of 30 % of candidates of each sex on electoral lists, a [mandatory quota](#) introduced in 1996. Currently 75 of the 513 deputies are women (14.6 %), as well as 11 out of 81 senators (13.6 %). Therefore, despite the electoral quota, the percentage of [women](#) in the Brazilian Parliament remains very low compared with other countries in the region and the world – ranked 141st out of 190 in the International Parliamentary Union [classification](#). By comparison, other Latin American countries such as Bolivia, Cuba, Mexico and Ecuador number between 41 % and 53 % of women in their parliaments, and the proportion of women members of the European Parliament is 40 %. According to a [study](#) carried out in 2017 by the Inspiring Women Project, the Brazilian Parliament will not achieve gender parity until 2080: women's participation in Brazilian politics rose by an average of 2.7 % every year in Brazil between 1997 and 2017.

2020 municipal elections

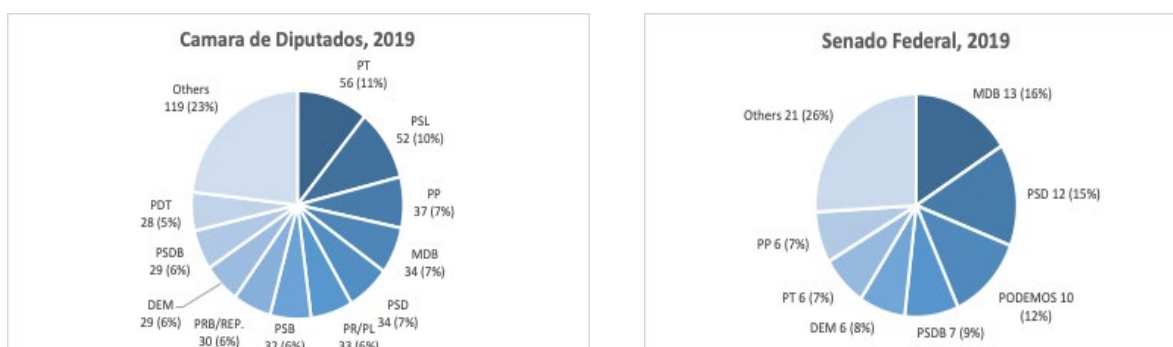
Municipal elections were held in Brazil on 15 November 2020, with a second round on 29 November. They were initially scheduled for October 2020, but were postponed by [Congress](#) due to the [Covid-19](#) pandemic. [Bolsonaro](#) did not endorse any party or candidate.

Centre right parties (PSDB, MDB, DEM), seen as an alternative to the polarisation between Lula's left and Bolsonaro's right, won in 13 of the 25 state capitals, including Sao Paulo and Rio de Janeiro. The remaining 12 capitals went to 8 different parties.

Brazil's main political parties

Brazil's political parties have been widely criticised for their lack of discipline and weak ideological coherence.² In contrast with European parties, they do not always follow ideological or class criteria, but reflect more [diverse factors](#). Besides, electoral rules favour partisan fragmentation and unstable alliances, which has led some to name Brazil's form of government as '[coalition presidentialism](#)'.³ Finally, poorly controlled private financing of electoral campaigns risks collusion between private business and the public administration, as shown by the [Lava Jato/Odebrecht](#) corruption scandal. In 2013 [Dilma Rousseff](#) tried to reform the constitution to tackle the corruption problem, but failed.

Figure 7 – Composition of the Brazilian Parliament



Source: Europa World Plus.

Source: Senado Federal website.

Following the 2018 legislative elections, there are [30 different parties](#) in the Chamber of Deputies and 21 in the Senate. The right-wing party most represented in the lower house is Bolsonaro's [Social Liberal Party](#) (PSL), the second largest with just 10 % of the seats (52, up from just 1 in 2014), followed by over a dozen centre-right parties with 5 % or less of the total number of seats each (including the Partido da Social Democracia Brasileira (PSDB), Democratas (DEM) and the Movimento Democrático Brasileiro (MDB). Among left-wing parties, the [Partido dos Trabalhadores](#) (PT, the party of Lula da Silva and Dilma Rousseff) has 56 seats (down from 70 in 2014) and makes up an informal opposition bloc with other parties of the left, including the Partido Democrático Trabalhista (PDT). Bolsonaro's right-wing government is formed by a [coalition](#) of his own party (PSL), the Democrats (DEM), the Brazilian Democratic Movement (MDB), the Brazilian Republican Party (PRB) and [Novo](#). The party best represented in the Senate is the Movimento Democrático Brasileiro (MDB, 13 senators), followed by the [Social Democratic Party](#) (PSD, 12), [Podemos](#) (former National Labour Party, 10), the Brazilian Social Democracy Party (PSDB, 7), the Democrats (DEM, 6) and the Labour Party (PT, 6).

A diverse regional leader engaged in multilateralism

Brazil is the largest democracy in Latin America. It occupies around half the territory of South America and numbers 50 % of its total population (the EU is half the area of Brazil, with double its population). It is also one of the most [biodiverse](#) countries in the world. A [diverse](#) country as regards race, culture and religion and even languages, Brazil's diversity has been considered the basis of its identity.

Portuguese settlers⁴ mixed with indigenous inhabitants and the descendants of African slaves, and over the centuries there have been successive waves of migrants. As a result, Brazilian society is racially mixed: around 48 % of Brazilians are white, 43 % mixed-race, 7.6 % black, 1.1 % Asian and 0.4 % [Native American](#). Although Portuguese is the official language in Brazil, Spanish is used in border areas and taught in schools, and a large number of [Amerindian languages](#) are spoken by the indigenous peoples. Other [minority groups](#) speak [German](#), Italian, [Japanese](#) and English. Although officially a non-confessional country since 1890, Brazil is around 64 % catholic (down from 73.6 % in 2000), 22.2 % protestant (mainly [pentecostal](#) evangelists), and has a significant representation of [African derived](#) animist religions. Brazil also has the largest Muslim community in Latin America (over 200 000) and over 120 000 [Jews](#).

Rising power of evangelists

Protestants, mostly represented by Pentecostal Evangelists, currently represent over 22 % of the Brazilian population. Although they remained politically neutral for decades, they were instrumental first in Lula's victory and now in the election of Bolsonaro to the Presidency. Bolsonaro was baptised by the Evangelical Church, who see him as incorruptible as compared to other politicians recently tarnished by corruption scandals.

Another relevant feature of Brazilian society is social mobility: in 1973, 60.9 % of adult males were born to families of rural workers, while this percentage has been reduced today to 30.5 %. The [middle class](#) reached 48.5 % of the population under president Lula, though inequalities persist. Today over [87 %](#) of Brazil's population live in cities (compared with around 75 % in the EU).

Although Brazil has borders with most South American countries (with the exception of Chile and Ecuador), it remained relatively isolated from its Spanish-speaking neighbours until the end of the 20th century,⁵ when it began to assume a leadership role in Latin America. First in the framework of the Common Market of the South ([Mercosur](#), 1991), and then with the creation of [Unasur](#) (whose treaty was signed in Brasilia in 2008, but is currently in crisis) and the Community of Latin American and Caribbean Countries ([CELAC](#)) in 2011. Brazil has also been firmly engaged in multilateralism, as evidenced by its participation in the United Nations [G77](#) since 1964 to promote the interests of developing countries; with other big emerging economies such as Russia, China, South Africa and Indonesia ([BRICS](#), 2001); or the [G20](#) (2003), where, with Argentina, it represents Latin American interests. Brazil has also actively promoted and led [South-South cooperation](#).

The European Parliament and the Brazilian Parliament

Brazil is considered a free and democratic country (with a score of 75 out of 100 in the [Freedom House](#) global ranking), where political rights and civil liberties are generally respected. Elections are free and fair, electoral laws well enforced, there is political pluralism and participation, and the judiciary is considered largely independent. Nevertheless, the V-Dem Institute [Democracy Report 2020](#) shows a decline in liberal democracy in the country in 2019, and classifies it as a mere 'electoral democracy'. Among the problems affecting the country are high rates of [violent crime](#), exclusion and discrimination of minorities, attacks on and harassment of independent [journalists](#) and activists, and endemic [corruption](#). In this context, the current [National Congress](#) has been showing its strength by [blocking](#) many of President Bolsonaro's controversial plans and resisting his [attacks](#). Some deputies have recently even called for [Bolsonaro's impeachment](#) for his handling of the coronavirus crisis. According to some experts, the [Brazilian Parliament](#) has in fact become more powerful over the last two decades, strengthening its role as a counterbalance to the executive.

Since 2007, [Brazil](#) has been one of ten [strategic partners](#) of the EU in the world (which in Latin America also include Mexico). The last bilateral summit was held in 2014. The EU Brazil [Joint Action Plan](#) 2012-2014 aimed to enhance the partnership in the areas of peace and security; sustainable development; regional cooperation; science, technology and innovation; and people-to-people exchanges. This EU-Brazil strategic partnership also includes [regular dialogue](#) between Brazil's National Congress and the European Parliament. The European Parliament's [Delegation](#) for relations with the Federative Republic of Brazil was set up in 2014 to this end, and has [14 members](#). Currently, the Brazilian side is the informal [Brazil-EU Parliamentary Friendship Group](#), though both sides have insisted that Congress must establish an institutional body as a counterpart to the European Parliament's Delegation. The European Parliament also has relations with Brazil as a member of Mercosur through its [Delegation for Relations with Mercosur](#) and in the framework of the Euro-Latin American Parliamentary Assembly ([EuroLat](#)). Among the subjects of common interest for both parliaments are [the defence](#) of [human rights](#); trade (in the framework of the [EU-Mercosur Agreement](#)); [environmental issues](#) and [climate change](#); [cybersecurity](#) (the second official Brazil-EU Cyber Dialogue was held on 20 February 2020) and [fake news](#); and the fight against the [coronavirus](#) pandemic and its consequences, for which the EU has launched the '[Team Europe](#)' package as a global response, including €918 million in aid for Latin America. [Brazil](#) is the Latin American country worst affected by the pandemic so far.

MAIN REFERENCES

Dabène O. and Louault F., *Atlas du Brésil – Promesses et défis d'une puissance émergente*, Éditions Autrement, 2018.

Vidal D., *Le Brésil, terre de possibles*, Presses Universitaires de Rennes, April 2016.

ENDNOTES

- ¹ Dabène O. and Louault F., *Atlas du Brésil – Promesses et défis d'une puissance émergente*, Éditions Autrement, 2018, pp. 82-83.
- ² *Ibidem*, p 81.
- ³ Vidal D., *Le Brésil, terre de possibles*, Presses Universitaires de Rennes, April 2016, p 84.
- ⁴ Dabène O. and Louault F., *Atlas du Brésil – Promesses et défis d'une puissance émergente*, pp. 38-51.
- ⁵ *Ibidem*, pp. 84-87.

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eprs@ep.europa.eu (contact)

www.eprs.ep.parl.union.eu (intranet)

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