Short Essay: Lucas De Souza Martins

Institutional Resilience in Brazil: Insights from the Bolsonaro Judgment

Brazil's federal police arrested former President Jair Bolsonaro preemptively on Saturday, November 22, just days before he was due to begin serving a 27-year prison sentence for allegedly orchestrating a coup attempt. This followed a September ruling in which a panel of the Brazilian Supreme Court found him guilty of leading a criminal organization and attempting to undermine Brazil's democratic order. The justices imposed a sentence of 27 years and three months, concluding that he and close allies in his cabinet and the military sought to overturn the outcome of the 2022 elections and, according to prosecutors, even plotted to assassinate President Luiz Inácio Lula da Silva. The ruling linked Bolsonaro's actions to the assault carried out by his supporters in January 2023, when crowds stormed the presidential palace, Congress and the Supreme Court in Brasília. Although the ruling was applauded by several Latin American presidents, among them Colombia's Gustavo Petro and Chile's Gabriel Boric, it drew immediate criticism from Washington.

The Trump administration, which had been one of Bolsonaro's most reliable international partners, reacted sharply. In the days preceding the court's decision, the White House escalated pressure on Brasília by announcing a 50-percent tariff on key Brazilian exports and placing Supreme Court Justice Alexandre de Moraes under Magnitsky Act sanctions on the basis of alleged human-rights violations. Brazilian authorities, however, did not bend under this pressure. President Luiz Inácio Lula da Silva praised the outcome as a "historic" milestone and dismissed what he characterized as unwarranted interference in domestic affairs by the United States.

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The ruling is historic not only because it represents the first conviction of a Brazilian head of state for such offenses, but also because it underscores something often overlooked: despite its turbulent past, Brazil's democratic system has shown remarkable durability, flexibility, and capacity for self-correction. This resilience may seem counterintuitive. Modern Brazilian history is filled with episodes of political volatility, from the long imperial period after independence, to the upheavals that followed the Revolution of 1930, to the short-lived parliamentary experiment, the twenty-one-year military dictatorship, and even the impeachment of two elected presidents in the democratic era. Seen from afar, the country could easily be dismissed as chronically unstable.

The broader Latin American context further reinforces this stereotype. The region has long been associated with coups and authoritarian regimes, many of which were supported or directly influenced by the United States. Brazil's own dictatorship emerged with Washington's encouragement during the Cold War. The 1964 coup, backed by the U.S. government, marked the beginning of two decades of harsh repression. Yet the institutions built after the return to civilian rule have endured, even when challenged by the political class itself. One example dates to 1979, when President João Baptista Figueiredo approved an amnesty law that pardoned both state agents and their opponents. The measure was introduced as a step toward political opening but also shielded perpetrators of regime-era crimes from accountability. Decades later, in 2021, Bolsonaro departed from this tradition by signing legislation that criminalizes attempts to subvert the democratic order. Ironically, that very statute supplied the legal basis for the Supreme Court's decision against him.

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This dynamic has precedent. In 2005, during Lula's first administration, revelations of congressional vote-buying rocked Brasília. Seeking to respond to public outrage, Lula backed the Clean Record Law (*Lei da Ficha Limpa*), enacted in 2010. The law disqualifies from office any individual convicted by a panel of judges. In 2018, Lula himself was prevented from seeking the presidency because of a corruption conviction, demonstrating how political leaders have become subject to the very

rules they once supported. Brazil's democracy has also absorbed the shock of two presidential impeachments without institutional rupture. Fernando Collor (1990–1992) was removed over corruption tied to his campaign finance network; Dilma Rousseff (2011–2016) was ousted for budgetary maneuvers deemed illegal. In both instances, the state remained stable, and the transitions opened the way for significant reforms, ranging from the 1994 Real Plan, which tamed hyperinflation, to the 2017 labor reform that redefined employer-employee negotiations.

Considered together, these episodes illustrate a system whose strength derives from applying the rule of law consistently, regardless of ideological orientation. Brazil's trajectory invites a reassessment of the frequently repeated, but inaccurate, notion that Latin American democracies are inherently fragile. In reality, the country's institutions have demonstrated both modernity and adaptability. For that reason, Brazil serves as an important example for other democracies in the hemisphere and beyond.

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