Is Brazil Hopelessly Corrupt?

Roberto DaMatta

In 1985, Brazilians emerged from the twenty-one-year military dictatorship hopeful that democratically elected civilians would address the country’s grave social and economic woes. To their dismay, the fledgling democracy withered on the vine. First, the highly respected Tancredo Neves entered the hospital, fatally ill, on the eve of his presidential inauguration in 1985. His successor, José Sarney, practiced a brand of politics that featured patronage and favoritism. Then, in the 1989 presidential election, Brazilians placed their faith in the photogenic, youthful Fernando Collor de Mello. Collor never finished his term. While the country suffered spiraling inflation, Collor and his cronies bled the national treasury, thereby leading to his impeachment on charges of corruption in 1992. When other governmental scandals came to light in 1993, anthropologist Roberto DaMatta searched into Brazil’s soul to explain why its leaders wantonly disregarded the law. His remarks, although critical of elite behavior, offer hope that Brazilian democracy will succeed.

Deeply revolted by the corruption of Fernando Collor de Mello, their first democratically elected president in thirty years, Brazilians cheered as Congress removed him from power last year.

But now a new scandal is shaking up Congress itself. Along with more than thirty other lawmakers, João Carlos Alves de Santos, director of the powerful National Budget Commission, is being investigated on suspicion of illegally appropriating up to $40 million. The police found $1 million in cash stuffed in his mattress.

Meanwhile, in the impoverished and corruption-ridden northeastern state of Alagoas, the governor’s wife proudly parades before the peasants in gold jewelry, French suits, and Italian shoes. A true egalitarian, she says, “Poor people have just the same right to see me pretty as people in society.”
Do such scandals—and they are merely a current handful—justify the conclusion that it is impossible to clean up Brazil, freeing the future from the vast corruption that permeates its past? In other words, can public and private morality be transformed as Brazil struggles on the threshold of modernization?

Brazilian corruption is the fruit of a double ethic. One kind of morality exists in the space Brazilians call rua (meaning street or, more broadly, the public world); another morality applies in the casa (house), a universe that encompasses family, followers, and friends. In the realm of the rua, Brazil is just like any other modern nation. It is governed by universal law and institutions that, formally speaking, apply to all its citizens. In the universe of the casa, however, Brazil is ruled by unwritten and unspoken norms that promulgate and protect the ethic of privilege and those who act on it. As they say, this is not the land of know-how but of know-who.

Political corruption is a connecting link between the rua and the casa. Since no moral code exists that applies simultaneously to both spheres, as in most countries that have undergone modernization (Italy is something special), when something cannot be done under the rules of the rua, it can be done under the ethical protection of the casa.

That is why Brazilian corruption is so hard to correct and prosecute. Corruption is never an individual act. It always involves groups of people bound by one fundamental rule of association: an exchange of favors. This collective corruption is founded on traditional morality, well-established friendships, and the opportunity at hand. It allows crimes to be practiced with impunity and is characterized by an intolerable arrogance.

All this has led society to build a profoundly ambiguous nation-state—a state that indulges its elite and fends off its citizens. As Brazilians say, “To our friends, everything; to our enemies, the law!” The drama has a lot to do with the childish vision of an elite convinced that it is able to manage social contradictions by manipulating the law. It is as if the state were not part of society. To understand corruption Brazilian-style, it is necessary to understand this profoundly negative relationship between a state that is considered above society and a society that wants to be insulated from the state that rules it.

This dangerous illusion is finally under challenge. Since the end of the military regime that ruled from 1964 to 1988, prodded by an aggressive
and liberated news media, Brazilians have questioned publicly whether it is legitimate to use the state and politics for personal enrichment.

Now, popular demand is not so much for liberty (which was always of interest to the elite), but for equality. In this milieu, corruption is viewed as an immoral political style. How can the government ask the people to make sacrifices required by modernization if the political elite is not willing to follow the rules and if public officials profit from the emergency, deepening the crises of the state with their immoral conduct?

I interpret the recent scandals and the accompanying uproar as the final gasps of traditional politics. First, the elites have been exposed in their perversion of the political process; second, the public is no longer willing to tolerate a state more satisfied with passing laws than with enforcing them honestly.

So instead of focusing on corruption as Brazil’s main problem, look at it as a sign of the change that society and government need to undergo. We also know that friendship, kinship, and personal loyalties are not pure and inviolate institutions. In a democracy, they have to submit to the law.
How Brazil Works

Robert M. Levine

Brazilians spend untold time entangled in the bureaucratic labyrinth. Some cases of hopeless dealings stretch out for years. Starting in the early years of the twentieth century, for those who could afford it or who possessed political influence, however, an antidote emerged in the person of the despachante, a professional facilitator able to cut through the red tape. Sometimes, bribery was involved, or small favors, but usually despachantes simply got things done (for a fee) faster and without hassle because they knew the right people on the inside. Some veteran despachantes seemed to have magical powers. Passports for which mere mortals have to wait in line for hours, then return for a second or third or fourth time to wait at the federal police headquarters, are issued in minutes. Documents not available at all by legal means materialize the same way. The first part of this section shows how despachantes form part of the world of the jeito, the Brazilian way of getting things done.

Another practice is the intimidating ritual. In urban Latin America, where the gap between the very rich and very poor is great indeed, and where in many cases, rich and poor work or even live in close physical proximity, the affluent intimidate to get their way, as portrayed in the second part below. The mulatto novelist Affonso Henriques de Lima Barreto satirized the use and abuse of titles in his World War I–era novel, Recordações de Escrivão Isáias Caminha; his novel about the imaginary republic of the United States of Bruzundanga, a pseudo-Brazil, mocks the entrance examinations required by prestigious Brazilian professional schools: “Passing the preliminaries, the future leaders of the republic, the United States of Bruzundanga, take courses of study and end up more ignorant and presumptuous than they were when they entered. They are the sort who loudly boast, ‘I have a degree. You are talking to a man with a degree!’”
I. The Jeito

M., a maid working in an affluent condominium complex in São Paulo, at twenty-four married a seventeen-year-old young man and had a child. When her mother-in-law told her that she couldn’t care for the baby all the time, M. sent for an eleven-year-old girl from the interior, telling people that she was “adopting” her. The girl, who presumably attended school a few hours each day, otherwise worked without papers (or wages) for M. as her servant.

What M. did is as much a part of the informal economy as it is a legal ruse, since she did not have to obtain permission from any civil authorities to bring the girl to her home. In cases where regulations have to be confronted, Brazilians pride themselves on being especially creative in their array and variety of gambits suitable for bending rules. Most of these ploys work best, of course, for those with connections, even as low level as a friend of a relative who works in a certain office or department. The system also bends for those who can throw their weight around. Thus, facing down a policeman trying to write a ticket on an illegally parked car is easy for someone wearing a Rolex and educated in an elite private school, because the weaker party to the action knows full well that society expects him to back away.

One element in the political culture that is available to almost everyone possessing a modicum of poise and self-respect is the jeito. The jeito (diminutive, jeitinho) is the “way” to grease the wheels of government or the bureaucracy to obtain a favor, or to bypass rules or regulations. Jeitos fall halfway between legitimate favors and out-and-out corruption, but at least in popular understanding, they lean in the direction of the extra-legal. Favors, in addition, imply a measure of reciprocity, a courtesy to be returned. One never pays for a favor, however, but a jeito, which is often granted by someone who is not a personal acquaintance, must be accompanied by a tip or even a larger payoff.

Peter Kellerman’s 1963 tongue-in-cheek Brazil for Beginners offers an example of how the system worked even within the bureaucracy. A recent graduate of a European medical school was applying for a visa to emigrate to Brazil at the Brazilian Consulate in Paris. When he appeared, the Brazilian consul changed the applicant’s profession from physician to agronomist. When the candidate protested, saying that he
did not want to sign a false statement, the consul told him: "In that way I can issue you a visa immediately. You know how these things are? Professional quotas, confidential instructions from the department of immigration. Utter nonsense! . . . In any event, this way will make it perfectly legal." The consul explained that he was helping the applicant by employing the jeito. After the physician took up residence in Brazil, he understood: he had immigrated to a country, law professor Keith S. Rosenn notes, "where laws and regulations are enacted upon the assumption that a substantial percentage will be disobeyed," and where, quoting Kelleman, "civil servants, be they small or powerful, create their own law. Although this law does not happen to correspond with the original law, it meets with general approbation, provided that it is dictated by common sense."

Several kinds of behavior are associated with the jeito. Officials fail to perform a legal duty (for example, contracts to the highest briber); persons employ subterfuges to circumvent a legal obligation that is proper (underinvoicing import shipments, receiving part of the purchase price abroad in foreign currency to evade currency control and taxes on part of the profits); speedy completion of paperwork only in exchange for a bribe or because the official knows the applicant; skirting an unreasonable or economically prejudicial legal obligation (for instance, laws requiring compensating bank balances or deposits at low interest); failure to enforce rules or laws because the official thinks that the law is unjust or unrealistic (the example of the visa applicant). The first three cases are corrupt, but the last two fall into a grey area where public purposes are arguably served by evading legal obligations. Some applications of the jeito, of course, involve mixed kinds of motives, combining payoffs or favoritism with a sense that the outcome will be reasonable and even legitimate.

Jeitos affect everyone. Once I was traveling to the interior of Rio Grande do Norte, a desolate backlands region with few signs of life. The van in which I was riding broke down outside a tiny, dusty town. The passengers and driver walked to the village to attempt to find parts to fix the motor; while we were sitting in a café, waiting, a man came in and identified himself as the police chief. He wore no uniform and showed no badge, but everyone in the café showed him deference and we assumed that he was some kind of official. He then asked to see our documents. The Brazilians had their federal identity cards; I had my passport.
The official demanded that each of the Brazilians pay the equivalent of $6 for being given “refuge” in his town, and he “fined” the driver of the van a slightly lower amount for having obstructed the roadway. Then he turned to me. He asked me what a foreigner was doing in his town. I told him. He then asked to see my passport, taking it and thumbing through the pages one by one. “Why had I gone to Mexico?” he asked me, seeing a visa stamp issued in Mérida. “Venezuela?” “France?” Was I working for the “U.S. Intelligence Service?” I assured him that I was carrying out historical research. “What do you have with you?” he asked. I showed him my camera and lenses, and my notebook. He then grabbed my camera bag and passport, and stalked out the door.

More than two hours later, well after midnight, he returned. The van had been fixed by then and was sitting with its motor running because the driver was impatient to leave. I had visions of being stuck in this town or even being put in jail. Then the man returned. With a broad grin, he handed me my camera case and passport. On one of the blank visa pages, he had painstakingly issued a “visa” for me to enter his town. It was handwritten, with various misspellings, and it had a cutout printed paragraph from what probably was the state Diário Oficial pasted in—a regulation covering one rule or another that did not seem even closely pertinent to this case. He then demanded $140 for the “processing fee.” At this point, my Brazilian host interceded, pulling him aside in conversation. He then hustled me and the others out to the van, and we drove off. He told me later that he had given the man about $2 and told him that he “should be honored to have a university professor passing through his jurisdiction.”

II. Intimidating Rituals

When a porteiro (doorman), dressed in a frayed uniform and carrying his starchy lunch in a tin box as early as 5:00 or 6:00 A.M. after walking down hundreds of steps from his favela house (or arriving from a two-hour bus ride over bumpy roads from the periphery of the city), is asked by an impatient, immaculately dressed professional man or woman to carry something, or to run back for something forgotten, or hastily to clean their car of the dust accumulated overnight, sparks may fly, but the doorman is expected to react humbly, without complaint. Many such em-
ployees, fearing the loss of their jobs, respond by adopting an air of near-total silence, often interpreted by employers as docility. Sometimes, this is internalized and becomes part of that person’s personality, exhibited even outside of the employment framework. In other cases, the doorman (or the domestic servant, or the dishwasher, or the crossing guard) goes home and becomes another person, sometimes a tyrant, a hard drinker, or a wife or child abuser. These behavior traits are not seen by the employer class, because the private lives of the poor are well hidden, rendered all but invisible except for moments when that aggressive behavior crosses back over the boundary, such as in instances when a marginal (marginalized man or woman) breaks the law, and is arrested for drunkenness or stealing.

This situation is exacerbated by the attitudes of some persons of higher status. Roberto DaMatta has captured the elite’s expectation of deference and special treatment in identifying the ritual importance of the phrase, “Você sabe com quem está falando?” (“Do you know who you’re talking to?”), the embodiment of the ritual that plays out when someone powerful is challenged by someone of lower status, such as in the case of a policeman confronting someone who has parked illegally, blocking traffic. Even physical size can be a factor in this kind of exchange: traffic cops are usually small and thin (in comparison to the burly members of the military police, or the police delegados who deal with crime), in contrast to the wealthy, who can be fit and athletic. Even if the offensive big shot is short and paunchy, his use of intimidating language makes perfectly clear what DaMatta terms the “radical and authoritarian separation between two social positions that are objectively or conceptually differentiated in terms of the rules of classification of Brazilian culture.” This behavior reflects the true nature of social distance, and belies the myth endorsed by Gilberto Freyre and others of the Brazilian as cordial and tolerant of others. It takes other forms. For example, the common practice by affluent teenagers of cutting ahead in line, or cheating in school, because they are privileged.

Whether intentional or not, people in high positions intimidate. Being a filho de papai (the father’s son, implying nepotism) counts for a great deal in Brazilian life. Verbal and behavioral reminders of status, in fact, have in many cases grown in use in recent decades, as traditional marks of social position—for men, for example, the cream-colored linen suits worn by true whites of seignorial class, or fountain pens and walking
sticks—went out of fashion. As a researcher in Brazil, I found this out the hard way. Waiting in line at a bakery counter in Ipanema on a Sunday morning during the military dictatorship, I was rudely pushed back by a man wearing shorts who bolted ahead of me. I muttered something about “falta de educação” and beckoned to the clerk to do something about what was, by any account, a blatant violation of propriety. The clerk looked away, as did everyone else in line. Walking away after the purchase was finally made, another person who had been standing in line with me whispered that I’d better be damned careful. The man who had cut into line was a colonel in the military police, he told me, who usually sent a servant to buy things for him while he waited in his car.

I also remember Asís, the doorman of a residential apartment house on Recife’s Boa Viagem. An emaciated caboclo born in the zona da mata a half hour to the east of the city, with sunken, swollen eyes, he lived with his family in a hut that could not have been more than fifty square feet in size, behind the elevator. When residents of the building approached, Asís would lower his gaze to the pavement, avoiding eye contact in the same manner as slaves and other blacks on the streets of colonial and nineteenth-century Brazil. There was a chute near the elevator on every floor into which maids threw refuse, and Asís, several times a day, would tip back the dumpster on the ground floor, taking out anything in the garbage that was edible or could be scavenged. Sometimes, Asís permitted ragged children from the neighborhood to enter the dumpster room with him. One day, I saw him being confronted by the head of the building’s condomínio, the residents’ association, and ordered to stop “abusing” his position by taking the garbage. “Mais amor e menos confiança,” I heard the man say: “Show respect and less impertinence.” Asís groveled and promised to obey. Within a month or so, one of Asís’s small children died. Rats now infested the grounds of the building. Then Asís and his family disappeared; another doorman took his place. It turned out that when Asís asked the condomínio president for an advance from his salary to pay for the burial of his child, he was fired on the spot.