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Brazilian Workers Party backs Bolsonaro's draconian "anti-crime" bill

On December 4, the Brazilian House passed a draconian "anti-crime" bill greatly expanding the repressive powers of the state and increasing prison sentences for a wide range of crimes. The measure drew overwhelming support from the self-styled "opposition" to President Jair Bolsonaro, who had just announced the formation of a new fascistic party based on the fight against socialism and on "loyalty" to his leadership.

Yesterday, the bill was also approved by the Senate Constitutional Committee after a deal between party leaders, signaling the likelihood of quick approval on the Senate floor.

As a regular bill, it requires only a simple majority for approval. Nonetheless, in the House it received 408 votes out of 513, with the Workers Party (PT) and the Maoist Communist Party of Brazil (PCdoB) both providing whips to assure their members' support for the measure.



Brazilian police (Credit:Ninja Midia)

The pseudo-left Socialism and Freedom Party (PSOL), a Pabloite-Morenoite consortium analogous to the French New Anti-Capitalist Party (NPA), permitted a free vote by its parliamentary members, allowing its main public figure, Marcelo Freixo from Rio de Janeiro, to vote in favor together with two others. Freixo is the main opposition candidate to Rio's Evangelical Christian chauvinist mayor, Marcelo Crivella, in the 2020 elections. He won 40 percent of the vote in 2016 with support from Brazil's main media company, the right-wing Globo conglomerate.

The vote came barely four days after the massacre of nine youth at a dance party in the São Paulo favela of Paraisópolis in an operation staged by the state's murderous Military Police, whose worst fascistic instincts are being whipped up by the sharp right-wing turn in Brazilian bourgeois politics. At least another 12 youth were seriously injured after the police blocked all exits from the narrow alleyways where some 5,000 were gathered at night in a traditional party and started firing rubber bullets and, according to testimony, live rounds. Whether the deaths were caused by police gunfire or being trampled by the terrified crowd is still unclear. There is wide suspicion that the police acted in revenge for the death of a soldier in a nearby operation.

The implications of the new bill are vast. It not only doubles prison sentences in many cases, but also widely expands what are considered heinous crimes, which have no possibility of probationary sentences. Theft followed by "severe injury" now falls within this category. Maximum prison terms are increased from 30 to 40 years.

Most significantly, however, the bill represents a wholesale assault on democratic rights. It allows for the taping of lawyers consulting with their clients in maximum security prisons and the validation of evidence obtained by undercover cops in drug and arms trafficking cases, including in cases involving the sale of small quantities of drugs. It triples the sentences for "crimes against honor" committed over the internet.

The law significantly widens the latitude for police shooting to kill without facing criminal prosecution, expanding the legitimate self-defense alibi to include the highly subjective criteria of "risk of aggression" or "risk of armed conflict".

It also creates a national voice, iris and facial recognition databank for prisoners, even those being held pre-trial, meaning that any excuse found by the police to arrest someone will result in the collection of their biometric data. The bill also virtually abolishes the statute of limitations, stating that it is not valid for the time taken to appeal a sentence.

Finally, one of the most ominous sections authorizes public databanks to include false information to cover up infiltrated agents on the internet.

The imminent approval of such a bill is part of the buildup of a police state in Brazil, supported by all factions of the ruling class and their petty-bourgeois apologists, from Bolsonaro to Marcelo Freixo's PSOL. PT representative Rogério Correia was one of the first to hail the vote, calling it nothing less than a "victory for civility".

For his part, Freixo reacted with abject right-wing triumphalism, stating that Justice Minister Sérgio Moro, the original proponent of the bill, had "been defeated today in this House, because fighting crime is no one's privilege." Last Sunday, it was former president Luis Inacio Lula da Silva's turn to pay tribute to the fascistic forces dominant in Brasília, declaring that "it was important to have this attitude within the left in Congress", which "didn't allow the bill to come out as Moro planned" and concluding that Congress was acting as the society expect it to. Or, to put it bluntly, for the PT, the Brazilian working class is exactly what Bolsonaro claims it is.

The operation to legitimize the Bolsonaro government and its fascistic pro-repression policies couldn't be more clear. Such developments are a devastating exposure of all of those who in 2018 called for a vote for the PT's neo-liberal candidate, Fernando Haddad, in order to "stop fascism".

But the vote also explodes the claims by these forces that the "free Lula" campaign, obsessively carried out since even before the election, was a struggle for democratic rights. Lula was jailed in April, 2018 based on a sentence for corruption by then-district judge Sérgio Moro, who was rewarded by Bolsonaro with the Justice Ministry. Moro's initial bill featured an ever wider definition of what would constitute situations in which police could shoot to kill with impunity. While the language of the legislation on this score was amended, one of the main issues for the PSOL and the PT in the bill was its inclusion of a provision allowing judges to order the imprisonment of non-dangerous individuals before they exhaust their appeals. The repeal of this article, along with the original wording relating to the shoot-to-kill policy was what the PT and its pseudo-left satellites meant by "Moro's defeat".

Lula was initially sent to prison while having two pending appeals, one in the (civil) High Court and one in the Supreme Court. The last challenged Moro's role in the case based on his illegal intervention in the 2016 impeachment against Lula's presidential successor, Dilma Rousseff. In early November, the Supreme Court ruled that Lula and 5,000 other

prisoners could be freed until their appeals were exhausted. Anticipating the decision, Moro had included in the bill an explicit section on changes to the rule that allowed Lula's release.

For almost 600 days after Lula's imprisonment, his jailing while his appeals were still pending was portrayed by the PT and the so-called left as the central issue in the defense of democratic rights in Brazil. When Lula was finally freed, the PSOL stated that the decision was "a democratic victory that stands opposed to the far-right punishment obsession that was used to take power and keep thousands of people imprisoned and at the mercy of the Brazilian criminal system." The claim that their efforts had the Brazilian working class and poor in mind now stands exposed.

The PT has been widely discredited, not only due to the economic disaster created by its pro-capitalist policies, but also because of its "war on drugs", which was responsible for quadrupling imprisonment for drug dealing and creating a mass of 800,000 prisoners, 40 percent of whom haven't even been tried. Under these conditions, responsibility for channeling opposition within the working class behind the PT and the "free Lula" campaign has rested with PT's pseudo-left apologists.

The approval of the "anti-crime" legislation has demolished their claims about a "democratic" front against Bolsonaro. Moreover, Freixo's thoroughly right-wing campaign in favor of the bill finds its complement in the criminal, and frankly pathetic, prostration of the PT and PSOL apologists who ostensibly opposed the bill.

The Morenoite Resistência current inside the PSOL limited itself to releasing a "Critical note on the PSOL caucus stand regarding the anti-crime bill," contending that "the caucus's decision to allow a free vote on the matter goes against the decisions of the National Executive Committee this year" and that "it is not possible for far-right and left-wing representatives to hail the same issue as a victory. Someone made a mistake!" The note goes on to claim that "electoral pressures cannot be discarded" when, "with a fascist government with an active base in the middle classes, voting against punitive measures means losing votes". It concludes by harmlessly contending that "parliamentary games cannot trump the party program."

The same line is toed by another Morenoite faction, tied to the Argentine PTS (Partido de los Trabajadores Socialistas), whose leader Diana Assunção candidly wrote on the Portuguese edition of La Izquierda Diario: "How can it be that PSOL's representatives converge on the same 'anti-crime' policy with those who broke a plaque with Marielle's

name?” - referring to the heinous defamation of the murdered PSOL Rio city councilor Marielle Franco by Bolsonaro loyalists.

In fact, such a vote was entirely predictable, and Assunção’s “candid” question exposes the treachery and unseriousness of La Izquierda Diario. The PSOL is spearheading a campaign to strengthen the Brazilian state and using Bolsonaro’s suspected criminal ties with Franco’s murderers, likely members of Rio’s police-based vigilante groups known as “militias”, as a pretext for it. That is the purpose of its obsession with defining the Bolsonaro government as a “militias’ government”. Its aim is not to expose the criminal workings of Brazilian capitalism that underlie Bolsonaro’s policies, but to block such an exposure. For no other reason they have threatened to sue members of the Bolsonaro government for vindicating the 1964-1985 US-backed military dictatorship. They are charging these officials not with an assault on democratic rights, but rather with “subversion.”

Resistência’s note admits that PSOL’s base is the petty bourgeoisie. But the fact that the Brazilian upper middle classes, entrenched in their gated communities to escape the social disaster of the world’s most unequal major economy, have electoral interest in “tough on crime” policies is beside the point. Bolsonaro has already admitted that he is seeking increased state powers for suppressing protests. Speaking for reactionary upper-middle-class fears of a social explosion, the PSOL has consciously sought to provide a “left” cover for these preparations. Workers must prepare accordingly by means of an irreconcilable break with the Workers Party and its pseudo-left apologists.

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