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Armed Forces and Internal Security: Reflections on Civil-Military Relations in Brazil

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Abstract

This article aims to reflect about the possible implications of the use of the Armed Forces in internal security activities on civil-military relations in Brazil. From the Proclamation of the Republic, in 1989, this fraction occupied a prominent position in the national scenario, whose course, until 1964, was characterized by an interventionist function, imbued with messianic spirit and protagonism in the development of Brazilian institutions, configuring a model of intercurrency that had the characteristics of the civilian subjective control as formulated by Samuel P. Huntington in *The Soldier and the State*. However, on the basis of academic argumentation in recent research by which there was a process aimed at distancing the military from political participation, in its internal individual aspect and in collusion with political parties, radical organizations or social movements, it was admitted that, after 1985, there was a rupture with the previous trajectory, approaching the barracks of the civilian objective control, lineate in same work of that cited author, which, however, may be being hampered in its external institutional side, due to the significant increasing in the use of the armed segment in

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the so-called Law and Order Guarantee Operations, giving rise to the possibility of a return to that existing condition prior to the Civil and Military Movement of 1964, a phenomenon that will be explored through the use of the *path dependence* methodology. The result of the investigation points out to the creation of a condition that has an inertial charge capable of altering the course inherited by the so-called New Republic, which, by combining with other social vectors, can contribute to the return to the *status quo ante*.

Keywords: Armed Forces. Civil-Military Relations. Law and Order Guarantee Operations. Path Dependence.



Introduction

From the Proclamation of the Republic to the outbreak of the Civic-Military Movement of 1964 (henceforth CMM/64) Brazil has coexisted with the participation of the armed segment in politics, well-characterized up to that initial date, among other reasons, by the activism of its components, either individually, by involvement associated with party activities or presence in several organizations with ideological nature, or institutionally, when innumerable interventions occurred in the course of the history of the country,¹ due to constitutional backup.

By analyzing this long period, three critical moments, after the above mentioned, stand out: The Revolution of 1930, the period of the Civil and Military Regime of 1964 (henceforth CMR/64) and the democratic transition established by the so called “New Republic”, from 1985 on.

From the conclusions contained in various academic assessments of these times and events, it is admitted that military participation in politics has been transformed into an essential element for “democratic” continuity, notably between 1946 and 1964, as demonstrated by Alfred Stepan (1971) in the work *Os Militares na Política (The Military in Politics)* under the denomination of “Moderator Model”, a Brazilian subspecies of the Civilian Subjective Control (henceforth CSC), as explained by Samuel P. Huntington (1996) in his work *O Soldado e o Estado (The Soldier and the State)*.

However, since 1964, a rupture in this pattern took place, with the intervention of policies and strategies, implemented by the military rulers, in order to neutralize, even sterilize, the military participation in political activities, whose course allowed the configuration of a structure alternative to the Moderator Model (PINTO, 2016, 2019), which, in the end, in 1985, led the armed fraction to a form of civil and military relationship that brought them closer to the Civilian Objective Control (henceforth COC), theoretical elaboration of the same Huntington framework (1996).

Nevertheless, with the advent of the New Republic, already with the military submitted to previously non-existent conditions – such as: full restoration of hierarchy, discipline and cohesion; acquiescence to civil power; removal of ideological intrusions in the barracks, by affinities or loyalties; political-partisan disengagement; among others (PINTO, 2016, 2019) – new threats to this *status quo* began to be drawn, amongst them, the participation of the Armed Forces in operations generally called Law and Order Guarantee Operations (LOGOs), as will be explained later in this text.

There are several possible causes for this expansion: inadequacy of political engineering in the attribution of constitutional, legal and regulatory powers to state institutions or organizations; economic, financial or leadership crises; governmental, organizational or institutional instabilities or bankruptcies; international permeability to illicit goods; among

¹ For accurate reports with impacts on the two most prominent moments of this article (1964 and 1985): since 1930, see CARVALHO (2005); and until 1985, see PINTO (2016, 2019).



many others. All are subject liable to investigations and correlations.

This article will highlight the use of the Armed Forces in LOGOs focused on internal (public) security, and, mainly, on the consequences that these activities bring to the civil and military relationship.

According to Samuel P. Huntington, the civil-military relations (henceforth CMR) constitutes “the main institutional component of the military security policy” (HUNTINGTON, 1996, p. 19), that is, of Defense, which, in turn, consists in a fundamental component of the national security. However, the same author warns that “military institutions that only reflect social values may be incapable of efficiently fulfilling their specific function” and “Countries that cannot maintain a balanced civil-military relationship are wasting resources and subject to incalculable risks” (HUNTINGTON, 1996, p. 20).²

With the expansion of the organized crime in Brazilian territory in the last decades, the Armed Forces, have been acting, repeatedly, in the fight against crime. This participation has been carried out through actions of LOGOs. In this context, should be pointed out that the military use in public security, by constitutional requirement, must be justified by the failure or insufficiency of the Federated States apparatus. Regarding to the constant flaws in the crimes control by these entities in their areas of responsibility, this job has gained momentum in face of the outcry of society, aggrieved by the escalation of violence in the country.

The current use of the Armed Forces in LOGOs brings to light historical moments in which the military played a leading role in the Brazilian scenario. The new level to which the Armed Forces have been elevated – which has been widely accepted by society as the last *regis ratio*, in pursuit of acceptable levels of security – may be affect the framework in which civil and military relations should be developed; and the modification in the *status quo* of this institutional link may produce setbacks in these relations.

This condition raises the possibility of question about which impact of this military role, in an area of competence that should be predominantly civil, would bring to the CMR. To support such a conjecture, the assumption was made: “the more the Armed Forces act outside the legal and constitutional characteristics, that impose their *episodic* employment in LOGOs activities, the greater their political effects on its institutionalism, training, CMR, military and national security”.

In this sense, the intent is to analyze is the risk to the barracks of re-engaging in political activities, or at least to become a political, partisan and, worse, ideological instrument, since it is not possible to unlink its use by governors from its functional and symbolic consequences in support of federal, state and municipal administrations.

In order to achieve the objective of reflecting on the possible implications of using the

² Social values include the protection of society, including internal security, which, in addition to not being within the normal competence of the Armed Forces, diverts human and material resources from its purposes (Authors' note).



Armed Forces in internal activities, to civilian-military relations in Brazil, particularly on the probable threats of using the Armed Forces as an operational and political instrument in the context of public security, even institutional, the methodology to be used will be the “path dependence”, due to the evident inertial components that surround a possible return of the barracks to political protagonism.

The path dependence

The path dependence, considered as a model of research, constitutes an important perspective of *historical institutionalism*,³ emphasizing the impacts of political choices legacies in subsequent periods. According to Nelson and Winter (1982), one of the key ideas of the evolutionary theory of this process is that the situation of a society, in a given historical period, launches the “seeds” of its condition in the next time.

One of the main arguments of this theory, more specifically, in relation to the comparative analysis of historic moments, deals with the constraining's effects that the decisions made at the time of formation of both institutions and policies exert on their future development, due to the “inertial trend” that would block subsequent changes. According to Peters:

[...] choices made while an institution is being formed, or when a politic is still being initiated, will have an influence continuously determinant [...] in the future. (PETERS, 1999, p. 63 apud GAINS; JOHN; STOKER, 2005, p. 25).

Therefore, once a specific trajectory is adopted, it would need a big effort or even an “external shock”⁴ to change the direction and the course of the institutions in later moments. In this sense, Hansen (2002) reinforces this idea, stating that the path dependence occurs when a decision limits the list of viable options in subsequent times, and thus encourages the continuity in the form of a limiting stemming from the original choice, constraining the reversion of the event.

According to Hoff (2011, p. 7-30), the Torfing (1999) study on “path shaping”⁵ and path dependence in the process of reform of the welfare State in Denmark, despite not producing a model of analysis of the case in question, trace a very useful scheme to understand the theoretical assumptions about path dependence, to which the author called dialectic of path shaping and path dependence. In Figure 1, the formation of a dependent trajectory can be observed, with the options of choices, the coexistence of two paths at the same time, as well as the possibilities of change in points in the long run.

³ *Historical institutionalism* is an analytical process that preaches the use of case studies, through institutions, to explain the strategic behaviour of individuals and social groups in a given sequence and moment of history, opposing a deductive logic of rational choice (KATO, 1996).

⁴ External shock includes a set of factors that have profound repercussions on the internal conditions (BAER, 1993, p. 7).

⁵ *Path shaping*, term used by Colin Hay (2011), is an approach in which political actors, through ideas, exert great influence in innovation, adaptation and institutional change (Authors' note).



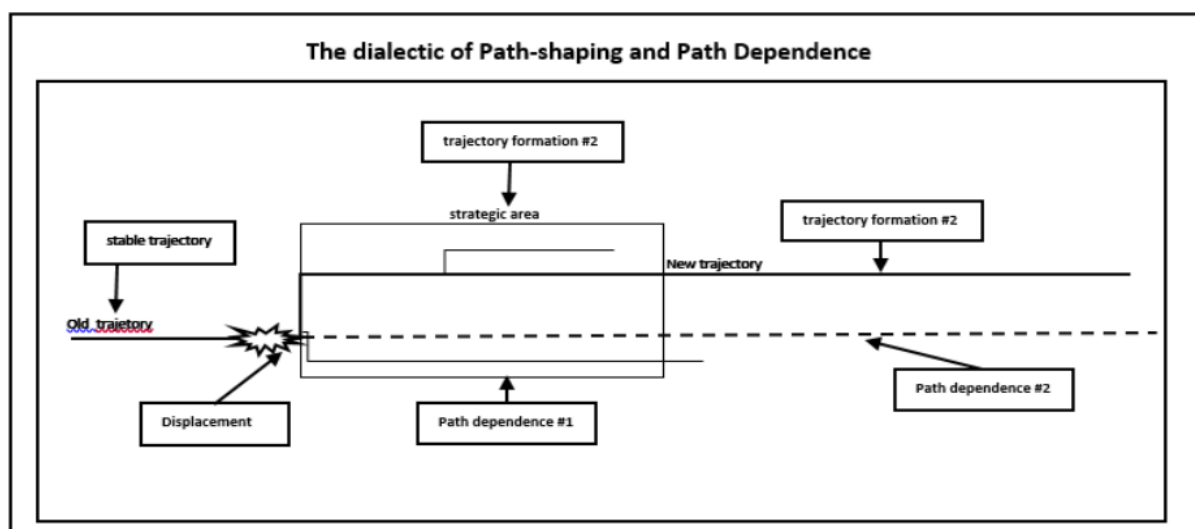


Figure 1: Trajectories of Path Dependence

Source: Torfing (1999).

Nevertheless, it should be noted that this method is object of criticism, especially concerning its explanatory capacity and the importance given to the topic of “contingency”, what mean types of events that could be considered as dependents of the trajectory (BERNARDI, 2012; KAY, 2005).

In this sense, criticizing path dependence, Raadschelders (1998, p. 576) asserts that it is only by virtue of hindsight that we are aware of stages or development paths. Path dependence refers, therefore, to a sequence of related events: causality in retrospect. Therefore, he concludes that the concept does not even come close to identifying a mechanism or mechanisms that drive social change.

Within the analytical framework of path dependence, this article also brings the contributions of Mahoney (2000) indicating two types of dominant sequences, the “self-reinforcing sequences” and the “reactive sequences”, which are briefly explained below:

a) self-reinforcing sequences – in this kind of sequence, the initial steps in a particular direction induce following movements in the same direction, which, over time, makes it difficult or impossible to reverse or change the direction (MAHONEY, 2000);

b) reactive-sequences are temporally ordered chains of events and connected in a causal way. Each event in the sequence is a reaction to an event that occurred earlier, and a cause of subsequent events. Initial events, in that kind of sequence, are especially important for final results, because a small change in one of these events can generate big differences at the end of the sequence of events (MAHONEY, 2000).

Accordingly, this research will test the path dependence in a comparative study, having as reference to its epistemological and ontological contribution while alternative method to the



rationalist model, ahistorical, but, also, considering their possible explanatory limitations, as pointed out. In fact, it will be analyzed the historical periods of Brazil and its adherences to the basic concepts of this theory.

Civil-military relations

The key issue involving civilians and military refers to the relationships between the military (in active service) and the State, the first with the mission of providing security for society without extrapolating their duties, and that last one with the responsibility to direct it, which implies political instrumentalization of this power in defense against internal and external threats, coming from outside the country.

For a better interaction in the CMR system, it becomes necessary to understand the complexity existing on the balance between the military and civilian groups involved (HUNTINGTON, 1996, p. 21). According to Eliézer Rizzo de Oliveira (2005), the civilian control does not imply ascendancy over the military contingent. They constitute complementary levels of responsibility. As stated by Janowitz (1967), the civil control does not depend on a total prevalence on the military institution, in view the State itself and society necessity that the military remain as an active element in the decision-making process of national security, even if its activities are linked to the civil authority.

Thus, it appears that, for carrying out an analysis of CMR, is need that it focuses on the existing interactions between these two elements, as well as in its power links, are they in balance or not. Based on the ideas of Huntington (1996, p. 103), the definition of civilian control in relation to the military is of two types: subjective control and objective control. Pinto (2016, p. 89) in his thesis states that, according to Huntington, the subjective control, even by the democratic approach, comes within the scope of a classic finalistic vision of civilian control, which minimizes the power of the military by means of maximizing the power of civil groups, by incorporating them into their policies within the State. This form of control fully reaches the purpose of co-opting the military making them mirrors of the interests of civilian groups, at the same time, denying them autonomy as an independent power.

The Civilian Objective Control, according to HUNTINGTON (1996, p. 106), consists in a set of elements, among which stands out the notion of “professionalism”, which involves: compliance to the hierarchical structure, discipline, cooperation, organization, unified in a clear command chain topped by a single representative (in the Executive power), cohesion and acquiescence to the civil power. To this end, it is assumed that there should be neutrality of the officer hood, and the ideal would be the sterilization of its activism outside the strict limits of their specialties. Such conditions should lead the Military Institution to a high degree of autonomy, which should reach the maximum performance within the functional milieu, and never reach the political scene.

In Brazil, the Armed Forces can be considered founders of the Republic, whose Proclamation occurred by means of a coup *d'État*. In this context, the role previously played by



the Moderator Power of the Emperor⁶ gets to be hold by barracks. In the words of Joaquim Nabuco:

On the day that the Republic was proclaimed, one could perceive that the nation wanted a military government to maintain unity, because the military spirit prevailed from one corner to another of the country, that is to say, had national amplitude [...] (Joaquim Nabuco apud HAYES, 1991, p. 77).

Thus, since the very beginnings, the armed segment was involved with political activism, which, throughout the Republican period until the Civil and Military Movement in 1964, became a permanent feature of the national state configuration. Therefore, to name the most significant moments, the “tenentismo”⁷ provided the military basis to the Revolution of 1930, and also for the communists, “integralists” (Brazilian fascists), leftists and right-wing nationalists uprisings, various organizations, clubs and military associations, all of them with political action in the external environment and inside the barracks.

From that date on, these activists would be found operating actively in the broad political homeland spectrum in all the coups, counter-coups, rebellions, riots, demonstrations, upraises etc., many of them involving violence, at least until March 31st, 1964 and then, not being invalid to remember that, at least two of the Presidents of the CMR/64 were among the first ones of 1922.

The period between 1946 and 1964 shows, particularly, characteristics with regard to military participation in politics. In this short interregnum occurred six coups d’état and counter-coups, all of them with intense military participation, whose consequences would disintegrate the hierarchy, discipline, rules of precedence and military cohesion (PINTO, 2016, 2019).

Analyzing the events of this period one can observe the influence of historical continuity. As noted by Alfred Stepan (1971), this Brazilian *modus vivendi*, that is to say, plagued by violence from armed intervention – which, immediately after effectuated, returned political power to civilians – indeed represented a solution to political conflict, once use to avoided institutional impasses and assured peaceful return to the *status quo ante*.

This moderatorial activity of military segment, which only existed thanks to the dysfunctional nature of the political system, recurrently corrupt and/or oligarchic, the latter, as has occurred, particularly until 1930 (DREIFUSS, 1981),⁸ produced a corrosion of legitimacy, as well as the bankruptcy of governments, “democracy”, military and national securities.

For Stepan (1971), the military, in such a system, exercised an instrumental role,

⁶ The famous “moderating power” was recognized in the Armed Forces, where political and social forces resorted to correcting deviations at the national level, especially in the political sphere (PEDREIRA, 1964).

⁷ Movement created by dissatisfaction and disagreement with the government’s policy, with significant presence of low ranks officers (lieutenants) and that caused several military uprisings (Authors’ note).

⁸ According to Dreifuss (1981, p. 21) “until 1930, the Brazilian State was led by an agro-industrial oligarchy [...] to which endemic corruption and electoral manipulation should be added in census elections”.



determined by civilians, which included limitations, the main relating to denial of their permanence in power. The goal was to safeguard the political system into operation, either with the maintenance of existing government, or with its replacement. This instrumental military character was characterized by the co-optation and utilization of them as support force in winning political objectives, whose implementation was in several ways, including through the appointment of Ministers to numerous positions in direct administration.

From the CMM/64 on, there was a gradual purge of the political “tentacles” within the Armed Forces. For Ferreira (2000), General Castello Branco caused strong impact on “Party in Uniform” when he imposed the limit of twelve years in the total stay in the highest ranks, which compromised their power, and therefore, their political participation. But it wasn't just that measure, whose complete process was thoroughly explained by Pinto in his works (2016, 2019).

Therefore, military forces, from 1964 on, suffered a persistent political and ideological “debug” in their ranks, while the military rulers remained in the Presidency of the Republic (1985), as can be observed in Table 1 below, covering the period of greatest impact:

Table 1: Purges in the military (1964-1980)

FORÇA	OFICIAIS	PRAÇAS	TOTAL
Aeronáutica	150	3.190	3.340
Exército	354	446	800
Marinha	115	2.099	2.214
Forças Policiais estaduais	103	134	237
Total de oficiais			722
Total de praças			5.869
Total geral			6.591

Source: National Commission of Truth (BRASIL, 2014).

The armed forces and the law and order guarantee operations

According to Hauriou (1929, p. 421), the first duty of any government is the defense of peace, covering both its internal and external sphere. Observing the analysis of situations of both risk and legality of use of force, it can be said that the State has four fundamental objectives: (1) defend sovereignty, securing its borders and repressing the external enemy; (2) operate in compliance with the international obligations of military character, as committed by the Country; (3) defend the internal order in situations of institutional abnormality, and (4) defend the internal order in situations of institutional normality. The first three goals should be awarded to the armed force and the latter to the public security organizations (DUGUIT, 1911, p. 410).

However, it was on the last Duguit (1911) goal that the LOGOs were focused in



detriment of their preparation for the fulfillment of the other goals. It's true, however, that the legitimacy for the military to intervene in the country, in case of abnormality arises since the days of the Empire. Indeed, the Constitution of the Brazilian Empire of 1824 (BRASIL, 1824) was provided for the obligation of all Brazilians to take up arms in order to sustain the Imperial institutions, independence and integrity, as well as defend the country from external and internal enemies, as shown below:

Art. 145 All Brazilians are forced to take up arms to support the Independence and integrity of the Empire, and defend it from its enemies, internal or external.

[...]

Art. 148 To the Executive Power competes privately employ the Armed Force of Sea, and Land, as well seem convenient to Security, and to the defense of the Empire. (BRASIL, 1824).

Such commandments persisted in different constitutions, until that of 1946, discontinued only in that's of 1937 and 1967. But in the New Republic, with the civilian return as rulers, this regulation come back to the *Magna Carta*, so the Armed Forces could act within the law, supported by the principles that govern the Constitution of 1988 (BRASIL, 1988), place where was established, in its §1 of article 142, that a complementary law would establish the general rules to be adopted in organization, preparation and employment of the Armed Forces in LOGOs, what was accomplished with the Complementary Law N. 97 (henceforth CL 97) of June 9, 1999 (BRASIL, 1999).

Lately, this law was amended by Complementary Law N. 117 (henceforth CL 117), of September 02, 2004 (BRASIL, 2004), which stipulates in chapter V, more specifically in article 15, on the use of federal troops emphasizing "the Guarantee of Law and Order Operations", which prescribe:

Art. 15. The President of the Republic shall be responsible for the employment of the Armed Forces in defense of the Motherland and for the guarantee of constitutional powers, law and order, and participation in peace operations, whom shall determine the Minister of State for Defense the activation of organs.

[...]

Paragraph 2. The performance of the Armed Forces, in the guarantee of law and order, at the initiative of any of the constitutional powers, shall occur in accordance with the guidelines laid down in an act of the President of the Republic, after the exhaustion of the instruments for preservation of public order and the safety of persons and property, listed in Art. 144 of the Federal Constitution. (BRASIL, 2004).

It should be noted that the legal regulation, regarding LOGOs, is more detailed in the Presidential Decree N. 3,897 (BRASIL, 2001), which confer police power to the Armed Forces, in developing police actions and acting within the competence of the federate state's military police. In addition, it sets the guidelines for the use of the Armed Forces in guaranteeing law and order, and makes other provisions.

According to articles 3, 4, and 5 of this Decree (BRASIL, 2001), this activity is a military



operation determined by the President of the Republic and conducted by the Armed Forces in an episodic manner, in a previously established area and for a limited time, whose purpose is the preservation of public order and the safety of persons and property in situations of exhaustion of the instruments provided for in Art. 144 of the 1988 Constitution (BRASIL, 1988) or in others where it is assumed that the disturbance of the order is possible. In the same way, the Ministry of Defense Manual, entitled *Armed Forces Glossary*, states that LOGOs are:

Coordinated action of the Armed Forces and Public Security Organs to guarantee law and order, at the initiative of any of the constitutional powers, is exceptional, episodic and temporary. It will occur in accordance with the guidelines laid down in the act of the President of the Republic, after exhausting the instruments intended for the preservation of public order and the safety of people and property. The presidential decision to employ the Armed Forces in this situation may occur directly on its own initiative or at the request of the heads of other constitutional powers, represented by the Presidents of the Supreme Court, the Senate or the Chamber of Deputies. (BRASIL, 2015, p. 192).

After the promulgation of the 1988 constitutional text (BRASIL, 1988), the use of federal military forces was perceived by the public authorities as a necessary instrument for the democratic regime itself. In maintaining the internal order, the Armed Forces act in defense of the democratic institutions, as guarantors of the constitutional powers. Because the Constitution is an expression of the popular will, Ferreira Filho (1999, p. 142) assures that the Armed Forces not only have protection against foreign aggression, but they also have the burden of keeping order that threatens the constituted powers.

So, the LOGOs have been included in the Constitutional text more thoroughly, with a view to providing political and military support to future missions, and, immediately after the edition of the Brazilian *Magna Carta* (BRASIL, 1988), in November 1988, the first operation took place at National Steel Company (NSC), in the city of Volta Redonda (RJ), aiming at complying with a court order to remove strikers from within this industry to guarantee its assets, attitude that gained more and more protagonism in the Brazilian political scenario.

In order to assess the quantitative development of the Post-Constitution LOGOs, a number of data were analyzed, and are consolidated in Figure 2 below, as revealed by the Ministry of Defense (BRASIL, 2018) and taking into account the temporal scope of this work, which calculate the number of operations per year, in the period after the 1988 Constitution (BRASIL, 1988).



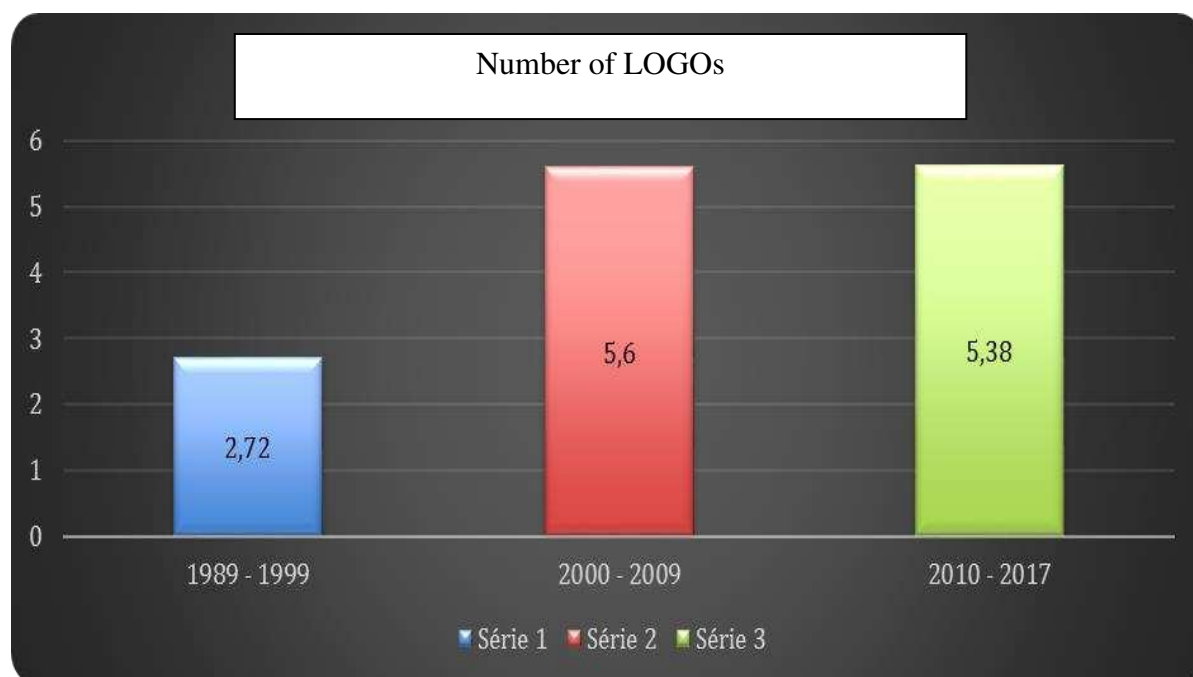


Figure 2: Number of LOGOs (by year in each period)

Source: Fayal (2019).

It can be inferred that, after the establishment of CL 97 (BRASIL, 1999), which regulated, amongst other things, the preparation and employment of the Armed Forces in LOGOs, there was a significant increase in the number of these operations, mainly after 1999, when such means of force were implemented more routinely than in the past period, between 1989 and 1999, when there were 2.72 operations per year. The interpretative flexibility introduced by Decree 3,897 (BRASIL, 2001) and Complementary Law N. 117 (BRASIL, 2004) is a possibility to be responsible for such trend.

In the following period represented (2000/2009) the level of operations jumped to 5.6/year (more than doubled), and, with the activity reinforced by Complementary Law N. 136 (henceforth CL 136), dated August 25, 2010 (BRASIL, 2010), the third period (2010/2017), roughly, maintained the high rates of use of AF in LOGOs (5.38/year) compared to the first period.

It, also, must be noticed that one hundred and twenty-nine LOGOs were performed during a period of thirty years (1989/2017). In Figure 3, the number of months spent with LOGOs per year was measured, within the same periods established previously.





Figure 3: Number of months spent with LOGOs in each period.

Source: Fayal (2019).

According to Figure 3, during the first period, forty-three months were used in operations, in the second period, seventy-one months were spent, and in the third period, the time spent with LOGOs totalize one hundred and nine months. With this information, it can be seen that the time used in the LOGOs has suffered an important and consecutive increase from the first to the third period. Accordingly, it is possible to conclude that, with the increase of legal means, mainly through complementary laws (CL 97, CL 117 and CL 136), the Armed Forces were used more and more frequently, according to the aims and objectives of the Executive Branch, in which the President of the Republic is responsible for his employment in law enforcement operations (BRASIL, 1999, 2001, 2004, 2010).

Observing from the prism of both federal and state governments, the use of the Armed Forces in the sphere of public security has proved to be a cheap and effective alternative, not to end the problem but to give the population the image of combat by the authorities against the increase of urban violence and drug trafficking. Corroborating this idea, Saint-Pierre and Donadelli (2016) pointed out that the military is always remembered as a remedy for all ills, as if it were the only institution in conditions of employment or as if political diligence did not have the will or ability to improve the specific institutional instruments to solve each problem.

Arruda (2007, p. 15) advances in this discourse, noting that according to Carl von Clausewitz's (1984) conceptions, in an interesting approach to the political use of the military, war is a rational instrument of national politics. This author did not imagine that in the distant lands of Brazil, people of war would also be used internally to serve partisan political interests and oligarchies, manipulated by the cunning of the elites. Following this thought, it is seen that, currently, the routine use of the Armed Forces attending to the political demands has



interested these political groups, due to the prestige of the military before the society, which can end up giving dividends to the political sphere, when associated to the Armed Forces.

According to analysis carried out by Getúlio Vargas Foundation (FUNDAÇÃO GETÚLIO VARGAS, 2017), the level of credibility of the Armed Forces was the highest among all other institutions considered, with the political area appearing in the last positions, as shown in Figure 4.

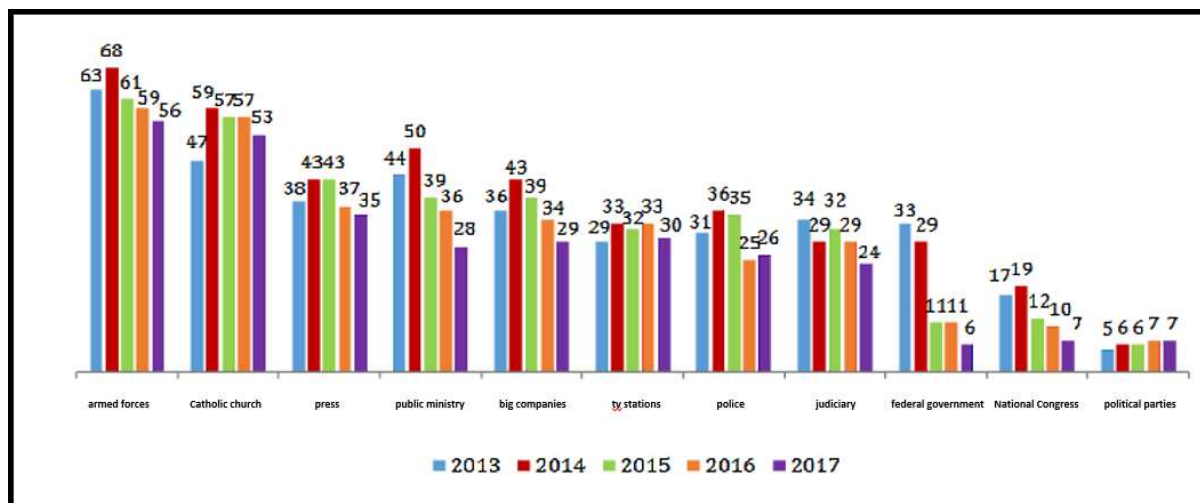
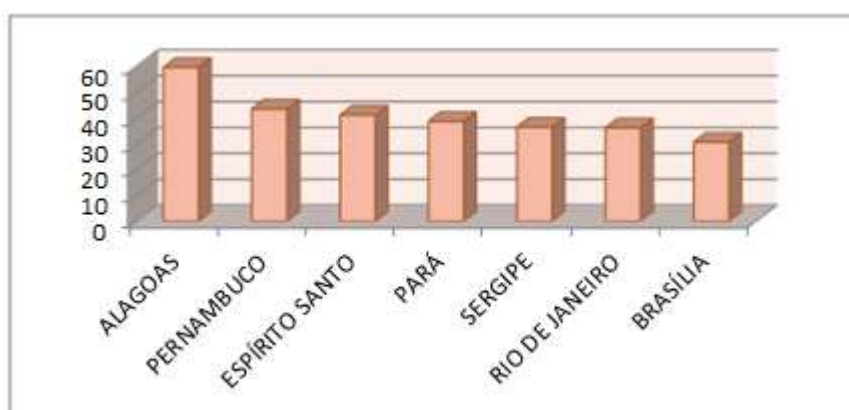


Figure 4: Levels of acceptance of institutions by society (percentage)

Source: Fundação Getúlio Vargas (2017).

In order to capture the acceptance of the Armed Forces by society and, also, to gain visibility with the repercussion of the military's performance in their areas of interest, the political class has repeatedly insisted on the use of the LOGOs in places such as Rio de Janeiro, which has indexes of homicides smaller than other states, as can be seen in Table 2.

Table 2: Homicide rate for 100,000 inhabitants (2005 - 2015), by state

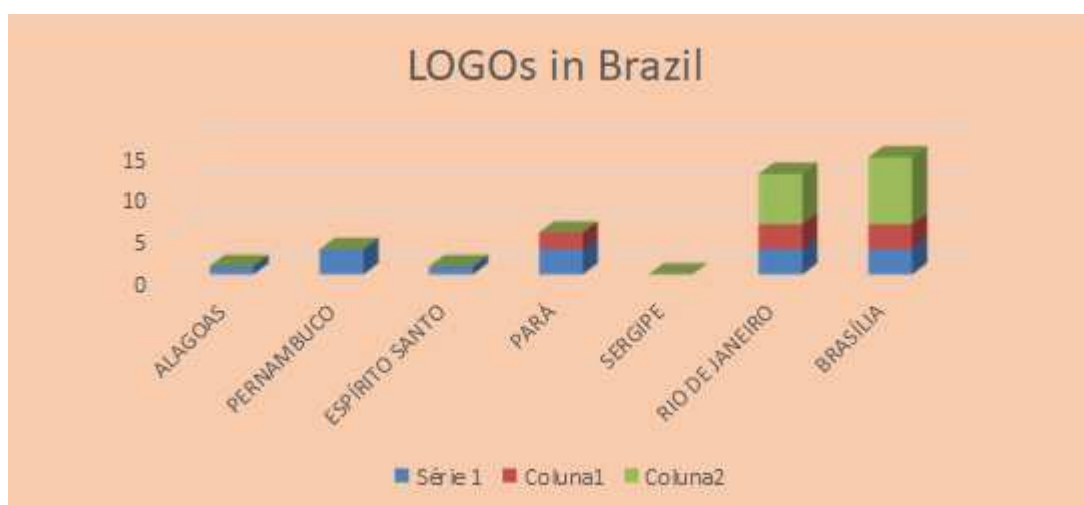


Source: IPEA/2017

Table 2 also shows that the states of Alagoas and Pernambuco have indices well above

that of Rio de Janeiro. As the use of the LOGOs are formatted in the Public Security area, it is permissible to infer that the focus of these operations in areas of lesser criminal frequency, although also compromised in the item security, but with great repercussion in national media, make them points of political convergence in the quest for political and electoral dividends. For a better view on the subject, a comparative chart was drawn up between the homicide rates of the states of Rio de Janeiro and Alagoas, based on the years 2005, 2010 and 2015. Therefore, it would be logical to predict a larger number of LOGOs in the areas of higher incidence of crime, especially homicides. Nonetheless, it can be seen, in Table 3, that this trend was not observed.

Table 3: LOGOs in Brasil (2005-2015)



Source: Fayal, 2019

Even with LOGOs present in the big events, mainly in Rio de Janeiro and Brasília, the figures presented above demonstrate the significant gap in these operations compared to other areas of Brazil. The political bias in the increasing use of the military for the most diverse purposes, especially the LOGOs, is therefore clear. This use of Armed Forces, especially in the fight against crime in the states by supposed extrapolation of the capacity of public security agents to guarantee public order, is an indicator of this fact. According to Arruda:

Certainly, the political use of the Armed Forces is not limited to having the military act to solve crises in the public security of the states. Faced with any aggravation in this field, the Armed Forces are remembered as a wildcard in a card game. In this case, the political game. (ARRUDA, 2007, p. 97).

Just as one can infer that political connections affected the quantity and direction of LOGOs, it is also reasonable to suppose that the character of visibility and the electoral potential of the moment and place where these operations took place became important for a decision.

For Rodrigues (2012), the good results obtained, including the decrease of indices in crime, are synonymous of votes. Corroborating with these ideas, Gonçalves (2012), explains



that the participation of the Armed Forces in the pacification of favelas (Rio de Janeiro) and in state crises (police strike in Bahia), although together with the police and other security organs, are examples of a dangerous and even unconstitutional way:

Those who deal with public safety, those who are prepared to deal with public safety and who should deal with public safety are the police; are not the Armed Forces. (GONÇALVES, 2012, p. 30-31).

Possible impacts on civil and military relations

Assuming that since 1985 (PINTO, 2016, 2019) the Brazilian military institution has moved towards a form of civil and military relationship very close to that of the civilian objective control (HUNTINGTON, 1996), and the Armed Forces achieved the necessary functional autonomy, without, however, interfering in the political sphere, that is to say, they became obedient to the civil power, then Brazil began to uncover a previously unimaginable fate, since its democracy, already under new characteristics, could feel itself free of the continued military tutelage, as it had been throughout its history, mainly in the Republican period.

However, the first author raised the conjecture that the institutional evolution admitted in the military segment did not find a correspondence on the civilian side, since the political structures were victimized by ills that used to lash them before 1964, citing, among others, a return: to party political fragmentation greater than that of that period; and to practices of corruption disseminated, at all levels of government, to other power branches, especially in the legislative house, and in state and private companies; to the repeated crises of hegemony that led to two presidential impeachments;⁹ to administrative and financial negligence by all entities of the federation; and to the collapse of leaderships and organizations focused on public security, among many others.

The suggested risk involved a possible retrocession, i.e. a greater imbalance, which could occur in CMR, in favor of the latter, returning them to the levels prior to those in 1964. The great volume of operations carried out by the Armed Forces following the promulgation of the 1988 Constitution (BRASIL, 1988), mainly in the area of public security, not to mention basic sanitation, health, national infrastructure and the distribution of vital resources to distant populations, such as the Water Tank Truck Operation,¹⁰ are incontestable examples of national needs that cannot be met by the institutionalized structures, and in which the Armed Forces are compelled to participate, with obvious negative consequences for all their constitutional competencies.

⁹ Evident symptoms of such malaise that surrounds Brazilian politics can be found in: fourteen propositions against Fernando Henrique Cardoso; thirty-four against Luiz Inácio Lula da Silva; and ten against Dilma Rousseff, only in the first term (NOBLAT, 2015).

¹⁰ Its objective is to complement the distribution of water that is being carried out by the State and Municipal Governments in the micro regions in emergency situation, from the distribution of the resources allocated by the Interior Ministry, to plan, coordinate and supervise the search, disinfection, transportation and distribution of drinking water, counting on the use of contracted kite-cars (EXÉRCITO BRASILEIRO, 2009, p. 1).



The involution of the structure of Brazilian CMR would degrade the stage of development achieved by the country's democracy, a situation that could re-approximate the armed segment of the paradigm of civilian subjective control, leading it to the levels experienced in the period before 1964, with politicized and interventionist Armed Forces, that is, that would remain co-opted by the political class. Therefore, it is important to examine the extent to which the use of the military for purposes other than constitutional and legal, can link them to political antics.

In order to analyze this risk, we use the tool of *path dependence*, making it clear that the objective to be pursued does not deal with the study of the tool itself, but its use for the purpose to provide a better visualization of the historical periods and facts in question:

- From the Proclamation of the Republic to the Civic-Military Movement of 1964;
- During the Civil and Military Regime of 1964;
- In the New Republic (1985-).

Although since the Proclamation of the Republic on November 15, 1889, there were continuities and ruptures characteristic of the path dependence, for the sake of objectivity, focus was placed on the period under the civilian subjective control form of relationship, between 1946 and 1964, which was better characterized by the Moderator Model, it's Brazilian subspecies.

For example, that great republican event of 1889, can already be understood as a disruptive “external shock” in the then monarchical trajectory, favoring the initial decision or choice, among other alternatives (such as the monarchical retake), for the beginning of the formation of republican institutions, among them the military, which, main participants in that coup, was already (re)born imbricated with politics, as a twin sister, and with the bad interventionist habit.

Also, in an elucidative character, one can use the self-reinforcing sequences, the reactive sequences of Mahoney (2000) to indicate the general track of the dependent trajectory in events like: Tenentismo; the Vargas Age; the movements of the post-WWII officialdom and in the creation of the National War College (*Escola Superior de Guerra*); and in the events explained by Alfred Stepan in the Moderator Model, between 1946 and 1964.

Each episode was causally linked to the previous one, even if they were influenced by the chaotic randomness that characterized them, which, in themselves, strengthened the path dependence linked to the widespread politicization of the military, which has been magnified since the Proclamation of the Republic, in its interventionist/moderator character.

The Figure 5, below, shows the rupture, pointed out by Pinto (2016, 2019), with the intrusion of the Enframement Antimodel, which, with the sterilization and neutralization of the political activities emanating from the barracks, finally, in 1985, would have brought them closer to civilian objective control.



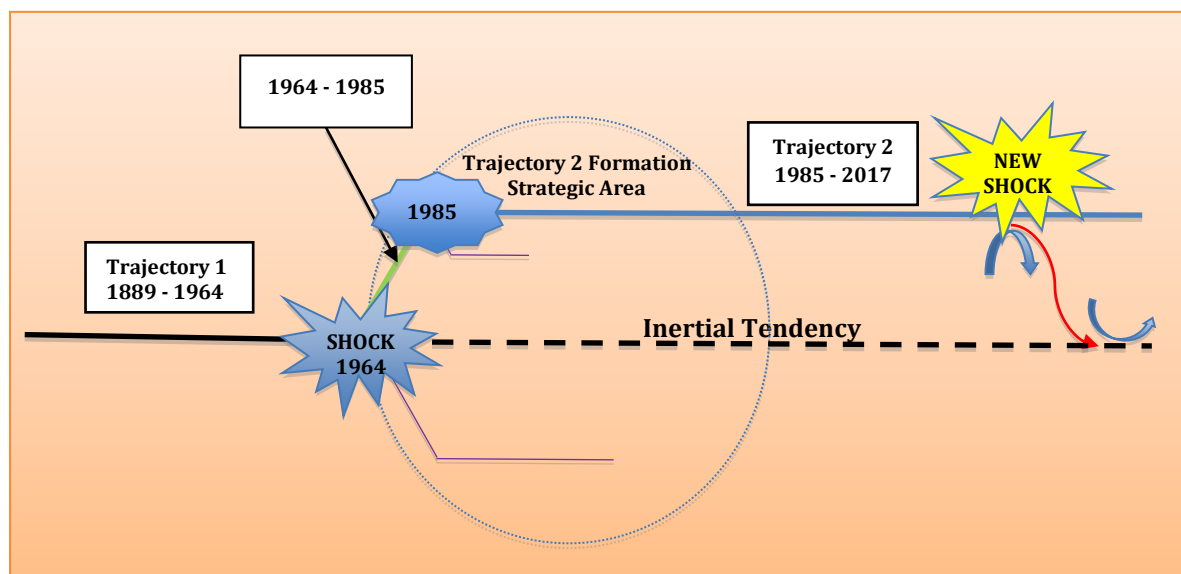


Figure 5: Path dependence interacting through Brazilian history.

Source: Fayal (2019) based in Torfing (1999).

The Civil and Military Regime of 1964 inaugurated a "new external shock" in the dependent trajectory on the intense partisan, ideological, organizational, group and individual participation of the military in politics, by beginning the relentless "purge" of its components through the Enframement Antimodel, which caused a displacement of Trajectory 1 and the formation of a new path under construction (*path shaping*).

This new period brought with it the recomposition of the professional military spirit, lost in a very long time, characterized by the adherence to the hierarchical precedence rules; the restoration of discipline and cohesion; the acquiescence to the civil power; the removal of internal intrusions, by affinities or loyalties, or foreign, in the barracks; dissociation of ideologies, political-party, organizations, even antidemocratic; among others.

Due to the measures taken during all military governance, it is admitted that an improvement occurred in that previous trajectory, a *path shaping*, consolidating it into a new one, which, despite the mishaps, has been extended to the present day (Trajectory 2). However, due to the large number of events that took place and reinforced the Trajectory 1, which in summary form totaled seventy-five years (1889/1964) and, due to the political sterilization process that lasted twenty-one years, and therefore practically reached 1985, it is admitted that "inertial tendency" is still present, considering the limited historical time elapsed.

Just to draw a comparative political parallel to demonstrate the force of inertia, the suppression of partisan political fragmentation imposed by Institutional Act N. 2 (henceforth IA 2) on October 27, 1965, that reduced this representation for only two parties, lasted no more than thirteen years until 1979, when returned much more disintegrated than before.

Therefore, it is considered in this text that the increase of the military protagonism, as



it happens now, allied to the attempt of cooptation of the armed segment by the political classes and the destabilization of the other political and social institutions of the State, configures the risk of the emergence of attraction forces to the previous trajectory (1), what could even find resonance in the new military hierarchy and make possible a new “external shock”, as shown in Figure 5, returning to that historical line, which would cause a strong retrocession to the civil-military relations.

As why is necessary emphasize that, although military institutions have developed and improved, both in their material character and professional training, other institutions, especially politics, have not been successful in this regard. National policy continued, roughly, with practices and aspirations close to the periods prior to 1964.

The intent of the various political groups to bring the state power instrument into their sphere of influence is of paramount importance in the pursuit of their “own” objectives. Proof of this was the substantive increase in LOGOs which, with the support of the 1988 constitutional text (Art. 142, and 144) (BRASIL, 1988) and in the modeling of these operations, occurred with Complementary Laws 97, 117 and 136, in addition to Decree 3,867, proportionate legitimacy to the political class in using the Armed Forces according to their ends and, most important, this political *modus operandi* constitutes a hook for *inertial tendency* embedded in Trajectory 1 (BRASIL, 1999, 2001, 2004, 2010).

Thus, in order to better explain the conjectures previously explained, the information contained in Figure 5 can be better appreciated in a two-part division, as will be seen below: Figure 6 (Trajectory of Political Institutions); and Figure 7 (Trajectory of the Armed Forces):

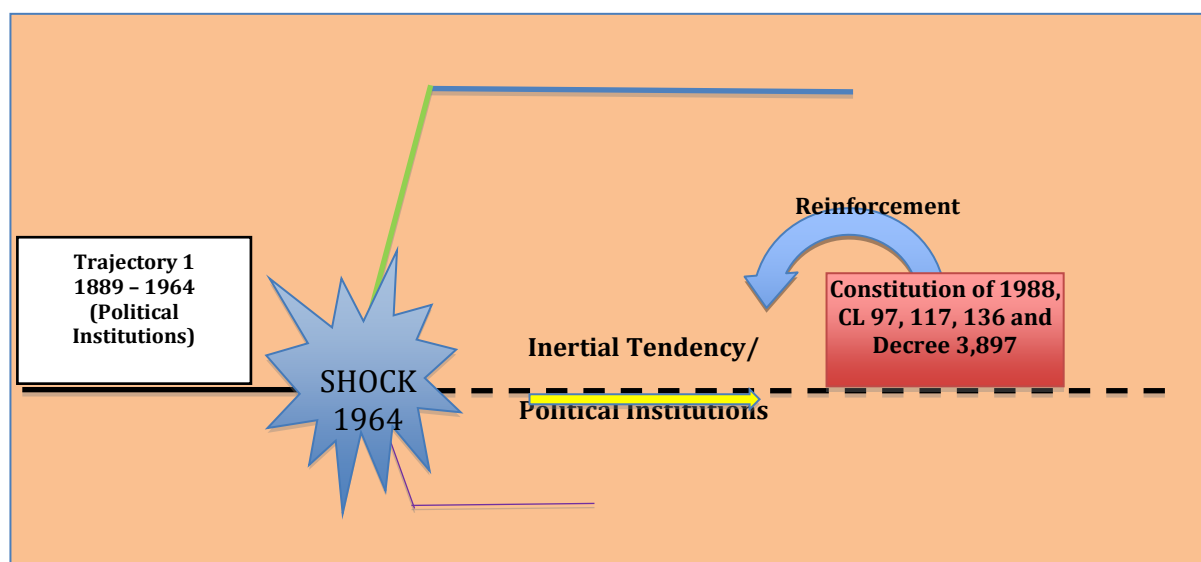


Figure 6: Trajectory of Political Institutions

Source: Fayal, 2019.

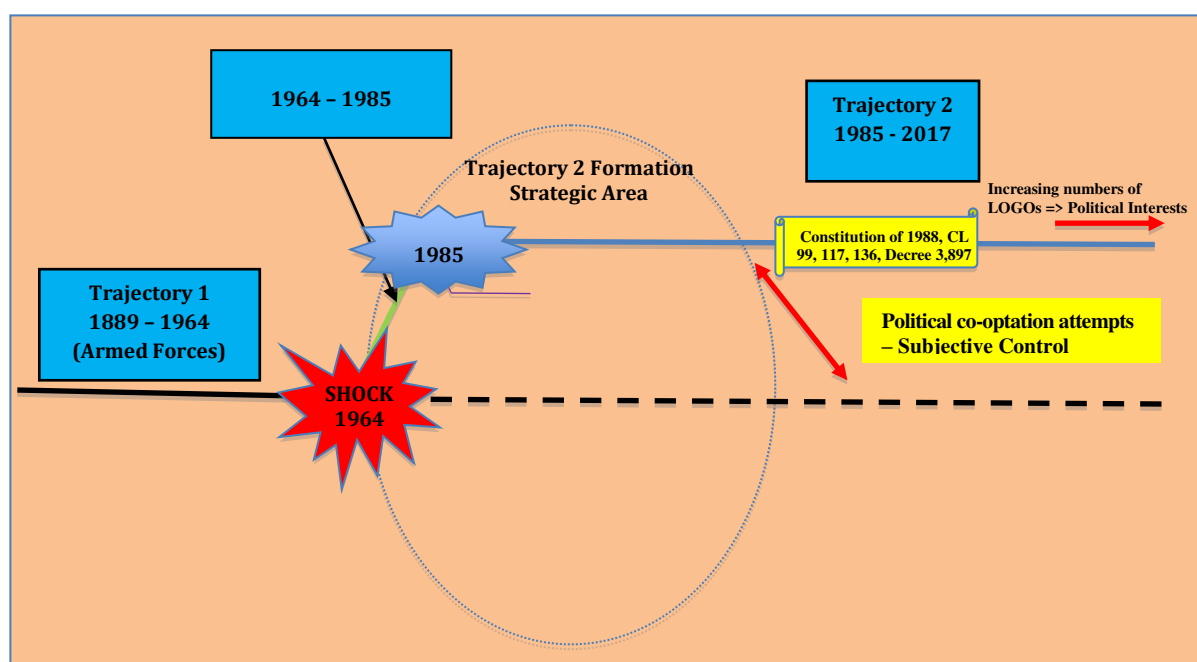


Figure 7: Trajectory of Military Institutions

Source: Fayal, 2019.

It is worth noting in this context that the Institucional Acts, notably 1 (SILVA, 1964), 2 (BRANCO, 1966) and 5 (BRASIL, 1968), served as “small” clashes within the military trajectory under construction. From these IAs, military personnel could be excluded and/or arrested according to their political-ideological performance, and, as shows Table 1, there was a substantive purge in the military.

In addition, since the beginning of the CMM/64, there was a clear differentiation between groups who called for more radical measures against “subversion” and supported a prolonged period of the military in power, one allied to General Costa e Silva, and another linked to General Castello Branco, who defended himself the tradition of “moderating” military interventions in politics – as had happened, for example, in 1930, 1945 and 1954 – followed by a rapid return of power to civilians.

Even assuming the Presidency of the Republic, Castello Branco did not succeed in its objectives, as it was succeeded by Costa e Silva, which embodied the model of occupation of the highest office of the Republic by the military and which lasted until 1985. However, the path chosen during this period (1964-1985), even if delayed, did not change the military trajectory, since it made possible the delivery of the Presidency of the Republic to civilians in 1985.

Final Remarks

The Armed Forces have been present since the beginnings of the construction of the



Brazilian State. After the Independence, the military were used both in external events, as in the War of Paraguay (1865-1870), and in internal ones, exemplified by the Farroupilha Revolution (1835-1845), Sabinada (1837-1838) and the Balaiada (1838-1841), among others.

In the Republican phase, the national leadership, assumed by the armed segment, gained new contours, forming a trend, progressively, interventionist. Since the 1940s, due to the dysfunctional and corrupt political system, the Armed Forces were instrumentalised by the civil elites in the most degrading way: to trigger off coups d'etat, *métier* in which they became specialized, although limited to temporary occupation of power, a sign of the contempt that was devoted to them, meaning that their main function was to act as a dummy of an wretched system, so as to bring it to life in each of its thromboses, to support political factions, maintain or overthrow governments and promote or replace leadership.

This military co-optation, in the attempt to achieve the objectives of certain political groups, was preserved by appointing officers to ministries and occupying positions of importance, pointing in the direction of civilian subjective control. This approach between the military and politics corroborated the politicization of the barracks, causing some fragmentation in their ranks. Conservative groups linked to the National War College (*Escola Superior de Guerra*), among others, clashed with militaries identified as left nationalists.

The messianic character of the military had its apex between the years of 1946 and 1964. This type of connection, it is worth remembering, was present, to a greater or lesser extent, throughout the republican period until the CMM/64, which accounts almost eight decades. This great event greatly impacted the Armed Forces, forcing them to “inside the barracks,” as Góes Monteiro preached, and removing the political bias from within. Also, from 1964, the military moderator/interventor character suffered its emptying, even though, until 1985, the state government was exercised by military rulers.

With the resumption of civilian governments after 1985, the Armed Forces continued to play their constitutional role, detached from internal politicization and focused on the training of troops and the valorization of professionalism, towards the model of civilian objective control at levels similar to those obtained in advanced democracies.

However, the model of political system did not obtain corresponding development. Its structural defects in much of the republican period, except in small spaces of time, still thrived and could be identified by widespread corruption in all levels of government and legislature, by the vested interests of groups belonging to the sphere of national power, and by the attempt to co-optation of the Armed Forces to their attempts.

The promulgation of the 1988 Constitution brought new aspects to civil and military relations. Contained in the text of the Charter, the missions of the Armed Forces became more specific, and the Law and Order Guarantee Operations were inserted, which were gradually parameterized by Complementary Laws 97, 117 and 136, as well as Decree 3,897. These profusions of laws and decrees provided the possibility for the Armed Forces to be employed internally, including in the area of public security without much room for legal questions.



It is worth noting that the episodic nature of the use of the Armed Forces, provided for in the 1988 Constitution (CF 1988), was not observed by the governments until 2017, taking into account what was presented in a previous chapter, which indicated a significant number of LOGOs in the area of public security, especially with regard to the quantitative impact that the Complementary Laws and Decree described above had on the period of promulgation of this Constitution.

It is also noted that the time allocated to these operations also became relevant information, since the number of months dedicated to the LOGOs characterized that the Armed Forces in the area of public security was not only used in unexpected interurrences, occurred and solved in the emergency plan. The military has often been used as a political response to social demands, in an attempt to obscure the national perception about the lack of public policies, as well as to raise political dividends for certain groups, configuring the attempt of military cooptation in the service to certain internal circles of politics.

Thus, as has been previously seen in several tables, the exacerbation of the use of the Armed Forces in questions that are based on social perceptions and demands, can cause alterations in the balance of civil and military relations, compromising the whole of this functioning.

With the fragmentation of political institutions, Brazilian society also suffers direct interference, resenting public policies that promote security in all fields and leaving it fragile. Thus, it is possible to conclude that the Armed Forces have become one of the only, if not the only Institutions of the country in a position to promote stability, eventually moving towards the moderating identification, already analyzed previously.

According to the context and facts presented in this chapter, it can be concluded that the Armed Forces persisting in the faithful performance of the balance for the maintenance of national normality and maintaining the high level of employment of the Armed Forces in missions constitutionally affected to the agents of public security, there are factual and theoretical conditions, through a historical study supported by analysis of the tool of *path dependence*, which indicate the existence of risk of regression in civil and military relations.

In theory, the possibility exists that some event, after 2017, will trigger an inflection of the military institution's trajectory back to the period prior to 1964. It would be a readjustment of the Armed Forces to Trajectory 1 (Figure 3), through its "inertial tendency", still present in 2017.

If this probability is confirmed, involution in civil and military relations could become part of the designation of military personnel for the occupation of senior positions of the direct administration, as well as in key sectors of the State; politicization of the Armed Forces; specific use of them according to the objectives of groups or persons; and/or return to the moderating function of the military. In short, the trajectory traversed, especially by the Armed Forces, towards the objective civil control would suffer a setback, going into the sphere of subjective control.



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