

District Elections for Congress

JOSÉ CARLOS ALELUIA (INTERVIEW)

IN AN INTERVIEW WITH *ESTUDOS AVANÇADOS*, José Carlos Aleluia, a representative of the Democrats Party (DEM) in the Chamber of Deputies, pointed to failures in the electoral system that distances federal deputies from voters. He favors political reform through the introduction of pure or mixed elections by district. He maintains that the current system of alternate deputies in the Senate should be replaced and believes it is essential to expand the process of political education of the Brazilian people. The declarations were made to the executive editor of *Estudos Avançados*, journalist Marco Antônio Coelho, in Brasília, on August 19, 2009.

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Estudos Avançados – *How do you analyze the crisis in the Congress?*

José Carlos Aleluia – There is a crisis of representation in the Chamber of Deputies and it is very serious. The proportional electoral process distances the represented from the elected. Because of this, voters do not place value on elections for the Chamber of Deputies and the Senate. This transforms them into secondary elections, of the third degree.

In the joint general elections, with everyone together, the voter attributes very little value to the Senate election, just a bit more than to the election for deputy. In reality, they vote for their representative to dispute the next municipal election. This is a completely tainted process, because in the case of the Senate, there is another even more serious factor: the presence of alternates. There is currently a high number of them, and they do not feel obliged to account to the States.

It is easy to note the existence of Senators who are not concerned with their image before public opinion, because they had no votes, will not have votes and will only be the legal and not legitimate heirs of someone who was elected. Therefore, the crisis is of representation.

If we do not make radical changes in the electoral process, I fear that the Parliament will deteriorate even more. I am in my fifth mandate and I have no hope that in the next mandate we will have better parliamentarians. Because, if, on one hand, we have a precarious electoral process, one of the world's most precarious, on the other, the vocations are not guided by the image of Parliament. This week, on a comedy program, I heard cursing by a character who unfurled various pejorative adjectives. One was "Senator from Maranhão." This clearly shows the level that the image of parliamentarians has reached.

We have two problems: in the first place, the process is deficient. Second, the problem is global, with the separation of society from politics, in face of an excess of information and of other options to occupy time. People do not dedicate a portion of their time to reading about, or watching or listening to programs about politics. This is a phenomenon very present in North America and in some European countries. There is very little space to discuss politics.

The press and the Internet in Brazil have a large audience in the so-called digital communities. But this participation is not aimed at politics. Sites specifically about political news have small audiences. Youth and adults wind up giving little time to politics. The television news programs, which are very important, wind up being little watched. People watch the novelas [dramatic series] and vaguely notice what happens in those scenes. They learn more from the images than from the dialog. But the public does not have the ability to analyze and interpret the dialog.

Political education should be a constant concern of the parties, the press and of people who think of the country. Personally, I have always been very concerned about this. This crisis of political education was a mark in the history of Germany during the Weimar Republic. A constitutional democracy was built there that was extremely promising, but there were no educated people to exercise democracy. Here in Brazil we need to dedicate ourselves with perseverance to political communication and the political participation of young people. At the universities, there is only a small segment involved. In other schools of higher education, and high school, there is a trend to not orient youth to critical thinking, to analysis, to interpretation. They spend lots of time with indoctrination, which is as perverse as the lack of information.

Estudos Avançados – *What should be done to overcome this crisis of representation?*

José Carlos Aleluia – First, it is essential that the parties, the universities and the press be concerned with expanding political information so that they can promote the idea of the importance of the Parliament to democracy, about the importance of the vote for Senate and the Chamber of Deputies.

The great crisis in the Senate is associated to the role of the alternates. So it is necessary to do away with the alternates who do not appear, not even at the ballot box. People vote for a senator and do not know his or her alternate. Just as the Senate had secret acts, the alternate senators are elected by secret acts. They do not appear at the elections, no one knows who they are; they don't try to know, and wind up voting without knowing. It would be a good initiative of the Superior Electoral Court to place at the ballot box, when people enter the candidate's number, the name and photo of the alternate. If a candidate places Fernandinho Beira-Mar [a notorious convicted drug dealer] as an alternate, the voter will know that he is voting for him. This measure would be an advance, although it would be better to do away with the alternate. But to do so requires a Constitutional amendment.

We have to change the system of voting for the Chamber of Deputies. The representative electoral system and the proportional system, in which the deputy travels considerably to the interior, as in Bahia, which has 39 representatives and 417 municipalities, the candidate travels from one region to another and winds up being elected by people who do not know him, through the indication of a political boss.

Moreover, we have to enact an advance, not realized by the Parliament, made by a decision of the Superior Electoral Court (TSE) about party fidelity. Here in the Parliament there are congressional representatives who were elected by the Liberal Party and migrated to the Communist Party of Brazil (PC do B), as if this was nothing. Thus, there are people who are elected by parties of the left and migrate to parties of the center and the right, simply for electoral convenience.

It is necessary to change the electoral system in the Chamber of Deputies. The available models are better than the current one. I am in favor of a district vote. England and the United States are very successful examples of the district vote. A very considerable change would be a mixed district vote, which would overcome the deficiencies of the district vote. Critics of the pure district vote in the United States condemn the fact that they are not able to elect great leaders, of national scope, because at times these people are not close to a district.

In Churchill's biography, this was a concern, because he had a problem with his district. He did very well in national politics, but did not do well in his district. He did not do well at the polls. A mixed district vote would resolve this, because it emphasizes the party issue. This perhaps would be the pre-ordered pluralist part. The Chamber of Deputies tried to approve the closed list, in which the district vote would undergo a constitutional reform.

Even the closed list, which was a proposed complementary law, was not approved, because society also did not accept it. Society is accustomed to voting for a name, even if this candidate is not elected. The open list winds up realizing strange things like the election of a deputy in São Paulo with 200 votes.

I am in favor of the district vote or the closed list, or a combination of the two, because it would be an improvement. I would not say that it would resolve the problems, but would decrease the economic influence, the cost of the campaigns in the large States, which is very much influenced by the travel, by the distance of the voter in relation to the candidate.

At times, the candidate works in a region for years and a candidate appears there chosen by fair, or shady, criteria and wins the preference of a certain local group. Therefore, the dispute is not for the vote of the deputy, but for local hegemony, which submits the Congress to a devaluation through the electoral process.

Estudos Avançados – *Is it possible for the congress to return to normal operation?*
José Carlos Aleluia – That would be best. In a democratic capitalist society,

instability like that found in the Senate paralyzes the country. The president of the Republic, whoever it may be, winds up being required to accept shady conditions of the parties and politicians.

The truth is that the president needs to establish support from the majority in the Congress. But this majority is not formed in the elections. Therefore, the political crisis leads the president to submit himself to all kinds of negotiations and use his indiscriminate power. The Brazilian Constitution gives considerable power to the Parliament, but in practice the president has a lot of power. President Lula is responsible for the current crisis and feeds the crisis by means of his “shock brigade.” He cannot risk losing the Brazilian Democratic Movement Party (PMDB). For this reason he winds up exercising power beyond what is reasonable.

One of the reckless elements of democracy is when someone achieves high levels of popular acceptance as has President Lula. The experiences of the 20th century in relation to people who reach high levels were not good. I hope that this crisis is resolved, that there is understanding and that the issues are resolved. Nothing can remain secret. The Chamber of Deputies escapes this crisis more because it opted for greater transparency. This does not mean that we do not have problems, but the greater the transparency, the safer we are.

A very closed club has been established in the Senate and this club is crumbling. The tacit agreement that existed before, in which no one accused anyone else, no one judged anyone else, is disappearing. There is a witch hunt. This is what we have seen recently.

Estudos Avançados – *What is your opinion of the “judicialization” of politics?*

José Carlos Aleluia – In a democracy with three independent powers, the absence of one of them generates an increased influence of another. We have some specific cases of Judicial action that were not terrible, but inappropriate. There has been an excess in the establishment of the number of city councilman in Brazil. Municipal councils pressured the Congress to increase the number of council members. If today there are nine council members, before there were 17. Parliament didn’t do anything. Seven or eight years ago the Judiciary took a decision that the Senate and the Chamber of Deputies was not able to make, such is the submission of Congress in relation to the municipalities in the electoral process. Another example was party fidelity. We would not have this fidelity if it was not for the expansive interpretation of the TSE and the Supreme Court to establish order. Without party fidelity, we would be experiencing a process of immoral co-optation.

The president of the Democrats (DEM) received a party deputy who claimed a campaign financing proposal, despite risking losing his mandate. There are articles in the Constitution that are true aberrations. If the Judiciary does not act, the Congress also does not act. In certain States, the vote is worth ten times

the vote in São Paulo. The vote of one citizen in Acre is worth more than that of a citizen in São Paulo. This also taints democracy. It would be good to find a solution, in which the Supreme Court would say that this could not continue.

Another problem in our representation is found in certain States that have an overvalued vote. Parliamentarians there do not need to submit themselves to public opinion and wind up having in Congress the profession of leader of the government, regardless of the government. This is the case of the current government leader in the Senate. He was government leader in the Senate in the presidency of Fernando Henrique Cardoso and is now leader in the Lula government, and will certainly be leader of the next government. Because he is capable of assuming any position in name of the government, without concern for his image, and can be elected solely with support from the federal government.

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