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Dissertation

The Proclamation of the Republic in Brazil:

revolution or coup d'état?

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Abstract:

This thesis seeks to observe and comprehend some of the changes that Brazil went through with the fall of the Monarchy and the establishment of the Republic at the end of the Nineteenth century. It is clear enough that the regime change took place through a *coup d'état* carried out by the Brazilian army. Therefore, I do not propose to question this understanding. Rather, this project intends to go further and analyze whether the Proclamation of the Republic can also be considered a revolution. This was done by comparing the previously established imperial system and the newly implemented republican organization, in order to assess how meaningful this regime change was for the country's history.

This thesis is divided into two parts. Chapter one looks at certain key moments in Brazilian history that led to the independence from Portugal in 1822 and the establishment of the constitution two years later. The constitution itself is also analyzed along with the political philosophy on which it was based. To this end, it was important to study Benjamin Constant's constitutional theories that allowed Brazil to have a liberal monarchy as its first post-independence political system.

Chapter two, in turn, addresses the central topic of this thesis, that is, the proclamation and consolidation of the Republic in 1889 and 1891. This section presents some of the reasons why the army rebelled against the government and the influence of Auguste Comte's positivism among the country's new generation of military officers. Therefore, positivism's philosophical tenets are also presented throughout this chapter. Finally, a comparison between the republican and imperial constitutions was also added to this section, as well as a brief analysis of the foundations of the American political system upon which the republican constitution of Brazil was based.

The Proclamation of the Republic was a turning point in Brazilian history. Like any other historical event, its causes and effects are complex. Yet, the army's insurgency that resulted in the establishment of the new regime in 1889 had a clear and distinguishable consequence: the fall of the monarchical political system legitimized in 1824 by the country's first constitution and whose origins had been the result of centuries of Portuguese colonization in South America.

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Introduction

During times of apparent or real turmoil in Brazil, a question that is often asked is which institution is responsible for rising to the occasion and establishing order against the political chaos. Within the country's first constitution of 1824, the answer to this question was straightforward: it was in the hands of the Emperor, the head of the "Moderating Power", whose responsibility was, according to Article 98 of the 1824 Political Constitution of the Empire of Brazil, to "watch over the maintenance of the independence, balance and harmony of the other political Powers". That meant that the Emperor could, among other things, "dissolve the Deputies Chamber ... (while) convening another one immediately after to replace it" (Art. 101, Item 5), "Appointing and freely removing ministers of State" (Art. 101, Item 6), "Suspending magistrates" (Art. 101, Item 7) and so on.

From 1889 onwards, after the overthrow of the Monarchic regime by the Brazilian army and the Proclamation of the Republic in its place, this power to moderate ceased to formally exist. Yet, the Moderating Power was much more than that. It was, above all, the country's main political institution, the "key of the whole political organization" (Art. 98), granting a formal and legitimate character to the Monarchy.

With the new regime, Brazil quickly adopted a new constitution with important modifications. The new system reorganized the country's center of power, giving the federal states a degree of autonomy never experienced during the constitutional Monarchy. With it, however, there also came instability which, one could argue, is felt until present times. Since the end of the Nineteenth century, the country has had six constitutions, each lasting twenty years on average. There is hardly a single right answer to explain this phenomenon. What is clear is that this period marks an important change in the country's political history. It wasn't a simple governmental shift but something deeper than that.

The aim of this research is to study the period following the country's change from a Monarchy to a Republic in 1889 with the establishment of a new constitution in 1891. This project will analyze the political changes the country went through from one period to the

other. In order to achieve this goal, important historic moments that led to the political consolidation of the Empire in 1824 and the Proclamation of the Republic around 70 years later will be mentioned. Furthermore, important issues such as the kind of ideas - or the political philosophy - that prevailed in the formation of each political system, as well as the constitutional design of the Monarchy and of the so called "First Republic", will be further examined.

Brazilian independence process has some unique features. As opposed to other independence processes observed in the American continent, the existing ties between Portugal and Brazil were not suddenly severed after 1822. Despite constituting its own system of government, Brazil remained a monarchical regime. Moreover, the country preserved the Braganza dynasty, whose roots were European and not American, at the center of its political organization. These are interesting observations in the sense that they provide the most fundamental contrast between the establishment of the country's two political systems. While the constitution of the Empire was, to a large extent, a continuation of the Portuguese political tradition, the same cannot be said of the Proclamation of the Republic. In constituting an entirely different political organization that had never before been applied to Brazil, the Republic disrupted the historic continuity of the monarchical regime which had been so crucial to the country's development since colonization. A comparison between these two periods is, therefore, pivotal to reach any conclusion on whether or not the Proclamation and consolidation of the Republic can be considered a revolution.

Finally, it should be added that revolutions are complex phenomena that have been interpreted in many different ways over time. For some, revolutions are tied to violence; others see it as a liberation from oppression; constituting something entirely anew is also a common understanding. Therefore, what does it mean exactly to state that the Proclamation of the Republic was in fact a revolution? That depends on how the phenomenon itself is defined. The purpose of the following paragraphs is precisely to review the many characteristics of revolutions so that the establishment of the Brazilian republic can be analyzed under a well defined framework of this phenomenon.

Revolution or Coup d'Etat?

The literature on the events of 1889 in Brazil frequently defines the exile of the royal family by the Brazilian army and the establishment of the Republic as a *coup d'état*. It has been the case of Brazilian authors such as Torres, Ellis, Holanda and more recently Rezzutti and Garschagen. On this topic, Torres explains that “Not even those people who had been stirred by the republicans marched against the São Cristóvão Palace¹ in resemblance to episodes of the French Revolution” (Torres [1957] 2018, 83). Rather, what happened was that:

“The population of the country, the *nobility*, the *clergy* and the *people*, watched, astonished, to the (military) parade. After all, as everybody knows, (Marshal) Deodoro (da Fonseca) was ahead of the troops and marched towards the (army's) headquarters where he was assisted by (Marshal) Floriano (Peixoto) in arresting the Viscount of Ouro Preto (then President of the Council of Ministers of Brazil). Having done that, he declared extinct the imperial regime while establishing the republican one” (Torres [1957] 2018, 84).

The Monarchy, specially after signing the law which ended slavery in 1888, enjoyed great support from most of the population. The Republic, on the other hand, was established without the support or even the acknowledgment of the society at large. Hence, for the purpose of this research, the argument that the Proclamation of the Republic was a *coup d'état* will not be questioned. The objective is to add yet another layer to this period of Brazilian history, attempting to see if it is also possible to call the events of 1889 a revolution. While one political phenomenon doesn't exclude the other, for the sake of avoiding any misunderstandings, it is important to differentiate a *coup d'état* from a revolution.

Perhaps the first difference between these two concepts is that a *coup* is much easier to identify and to happen - as it is basically a process of illegal or illegitimate overthrow of a given government - than a revolution - which, as we'll see further ahead, is difficult to define, suggesting the complexity of the phenomenon itself. Yet, it would't be necessary to present the differences amongst these two concepts if there wasn't similarities between them.

¹ Place of residence of the royal family.

Thereupon, authors such as Arendt have attempted to differentiate the two ideas. Revolutions, in her view, “are more than successful insurrections”, meaning that “we are not justified in calling every *coup d’etat* a revolution or even in detecting one in each civil war” (Arendt [1963] 1965, 34). In other words, she not only understands *coups* as rebellious movements, but also as a rather straightforward and common phenomenon. *Coups*, she’ll put it, are habitual movements whose outcomes are less significant than those of a revolution:

“*Coups d’etat* and palace revolutions², where power changes hands from one man to another, from one clique to another, depending on the form of government in which the *coup d’etat* occurs, have been less feared because the change they bring is circumscribed to the sphere of government and carries a minimum of unquiet to the people at large” (Arendt [1963] 1965, 34-35).

Also Cohan will argue that if a revolution is understood simply as the violent overthrow of a given government, then matters such as major social transformation, which is frequently part of the revolution analysis, ceases to be important. We could thereof add that seeing the revolution as a mere politically violent act that ends up with a government reshuffle, produces not only a confusion between what is a *coup* and what is a revolution, but also the banalisation of the latter. Consequently, political movements with highly different degrees of relevance could easily be mixed together, such as the many military *coups* that took place in Latin America in the second half of the twentieth century and major revolutions such as those of France in 1789 and Russia in 1917.

Even if *coups* themselves can become subject to interpretation,³ their differences from a revolution far supersede the similarities. Even elements such as the presence of violence and change of power, which are frequently common in both phenomena, aren’t always perceived in the same way. As we’ll see further ahead, revolutions are often understood as a

² Palace revolutions is defined by the Lexico Dictionary as “non-violent overthrow of a sovereign or government by senior officials within the ruling group”. Hence, what Arendt is saying is that a *coup* is less feared because the consequences of it are not as widespread as those of a revolution.

³ That is the case because while illegal change of power is a very straightforward idea, the same cannot be said of illegitimate changes. On this topic, Brazil also offers good examples. After being reelected in 2014, for instance, the then-president Dilma Rousseff went through a process of impeachment which ended with her removal from the office. While the whole process was done according to the law, her supporters never believed that the impeachment was legitimate, thus vaguely arguing that she suffered a *coup*.

process of legitimate political change, while *coups* are characterized by its illegitimacy and/or illegality.

Now that we have seen that the two phenomenons are different, even if they share some similarities, it is time to look at revolutions with more depth and finally present a framework under which the 1889 republican *coup* will be analyzed.

A Broader Perspective on Revolution

The difficulty in understanding if a given political incident can be called a revolution is that there is no consensus on what a revolution consists of. That is the case, in part, because many scholars have looked at the issue in different ways throughout the years. Arendt, again, offers an interesting insight about the phenomenon, explaining that:

“only where change occurs in the sense of a new beginning, where violence is used to constitute an altogether different form of government, to bring about the formation of a new body politic, where the liberation from oppression aims at least at the constitution of freedom can we speak of revolution.” (Arendt [1963] 1965, 35)

Three main elements from her definition of revolution can be highlighted: 1) it is not merely a process of change, but a process of a specific kind of change in which everything that came before it is left behind; 2) violence is an intrinsic part of the revolutionary process which ends with the establishment of a new kind of government structure - thus being more than a simple change in government personnel; 3) its social consequence is not the “liberation from oppression” alone, but, most importantly, it is a process through which the population at large can “participate in public affairs” or be admitted in “the public realm” (Arendt [1963] 1965, 32). If Arendt’s takes on revolutions were applied to Brazil in 1889, we could, through a brief observation, say that the republican *coup* fits in almost all of her criteria. In the first place, the republican transition marked an important change with the whole political experience of Brazil until that point. Violence was also a part of the process, though not in the form of civil wars and widespread conflict, rather through the use of force to take down the

royal regime and the decision to exile the royal family from the country. The “constitution of freedom”, on the other hand, is likely the most important distinction between her definition of revolutions and the Brazilian political experience of 1889. If Arendt’s considerations were to be fully taken into consideration, then it would be difficult to state that the 1889 republican *coup* was a revolution at all, since the monarchy was not a repressive institution in the first place. Moreover, the constitution of freedom was neither the goal of the army members who overthrew the monarchy nor the result of that process.⁴

Therefore other analyzes on revolution are needed in order to get a broader view of the subject. In this, Cohan is of great help for compiling different takes on the issue. One distinct element of the revolutionary process - though at the same time one of the most difficult to evaluate empirically - is what he calls the changes in the values or myths of a given society. In other words, to those who describe this form of revolution such as Huntington and Arendt herself, it happens when the change of the state structure occurs simultaneously with the replacement of one myth by another. While the revolution itself will not change the values held by a given society in its entirety, Cohan explains that “for the participant of the revolution there is a strong sense that the old order which is ready to collapse will be swept away from history” (Cohan [1975] 1981, 17). Thus, “the inability to satisfy different ways of ‘looking at the world’ results in the destruction of the previous way of assessing the goals and problems of the community” and in its replacement for a different worldview.

As interesting as it may be, this analysis has some problems when applied to the real world, and it works better when complemented by other takes on revolution. Thus, Cohan also presents changes in the social structures as being part of the phenomenon. In this, no other person has given as much attention and been more influential as Marx, for whom the revolution is a process in which one social class, defined by its economic condition, revolts against the dominant class. Skocpol, who pays special attention to the social aspect of revolutions, explains that according to Marx:

⁴ As it will be seen further ahead, the degree of popular representation was indeed low during the Empire. For a long time, voting was held indirectly and political figures like Senators were elected only from a list of candidates made by the Emperor. The Republic changed that system, allowing for a higher degree of popular representation (in theory, at least). In practice, turnout remained below 10% and political power was dominated by local oligarchies from the richest states of the nation.

“The generation of a nascent mode of production within the confines of an existing one - of capitalism within feudalism; of socialism within capitalism - creates a dynamic basis for the growth of the unity and consciousness of each proto-revolutionary class through on-going struggles with the existing dominant class” (Skocpol [1979] 2008, 7).

Yet, Marx didn't see revolutions as endless processes of struggle, else processes in which the abolition of the state, private property and the achievement of equality would result in the end of class conflicts. That revolutionary theory spread to reality, generating, mainly in the previous century, several political movements whose leaders, such as Lenin and Mao, came to power by means of revolutionary action.

The view of revolution as a process of structural social changes, however, is not limited to marxist thinkers. Dahrendorf, for instance, considered that a coercive state would eventually foster a powerful social force reactive to it. His argument was that “The more rigidly monopolistic classes enforce their rule, the more absolute will opposition demands become”. The result is that “There is no straight and painless road from monopolistic structures of power to pluralism and democracy” (Dahrendorf, n.d., 86). At the same time, he also admits that the revolution of 1989 that led to the end of the Soviet Union could be called a “refolution”, a term he borrows from Timothy Garton Ash to explain that some Eastern European countries, in their processes of democratization in the end of the Twentieth century, experienced mainly reforms rather than major processes of rupture. Perhaps, then, even where the social situation of oppression exists, the spark of revolution is more of a potential force than an unavoidable fate.

Three other elements of the revolution which Cohan describes are the changes of a country's political elites, the illegal or illegitimate transfer of power and the presence of violence in the fall of a given regime. These three elements, together with the previously mentioned ones, can be considered characteristics of the revolutionary process - although it is necessary to observe that individually, none of them necessarily constitute a revolution. As Cohan explains, one of the problems of linking violence, for instance, to the revolution, is that “the radical transformation of existing societies would not be included in the category of revolutionary change due to the absence of violence”, whereas “violent acts, which cause far

less changes than non-violent situations, could be called revolutionaries simply because the elite was altered through violent means” (Cohan [1975] 1981, 27–28).

The last element of revolution mentioned by Cohan is the institutional changes it provokes. Two main approaches can be observed. First, there are authors who think that institutional changes are a consequence of previous changes that happened within society. For those, even the worse institutions may continue to exist if they are strongly based on customs and traditions. Thereafter, “by examining institutional changes, we are, in fact, assessing the extent to which values have changed within society” (Cohan [1975] 1981, 21). On the other hand, there are others who consider that institutions may change before society. “Several generations may succeed each other before the predominant values of a society change (...) Among certain groups, the values may never change” (Cohan [1975] 1981, 21). Cohan points to the French Revolution as an example of it, given that some groups remained strongly connected to the values of the monarchy. In a similar way the same can be said of Brazil, where the monarchy was overthrown despite popular demands and not because of it.

The difficulty in finding one final definition of revolution - unless one looks at marxism - lies precisely in the fact that there are many possible causes for it. One country may go through a revolutionary process if it experiences radical changes in its symbols and myths, in its political elite, in its social classes, in its institutions or in a combination of these elements. What seems to be a common element, however, of any revolutionary process, is the element of change - though not any change, but rather a change that represents a new beginning, as Arendt has put it. Hence, to understand if the Brazilian republican *coup* of 1889 can be considered a revolution, this study will analyze whether or not it caused a discontinuity between past and present. And yet, while this could be observed through different dimensions - the different kinds of change that Cohan mentions - this research will focus on the institutional changes that the country has gone through, the political and philosophical theories that served as basis for the monarchical and republican regimes, to which it will be added an analysis on the rupture with the political tradition of the country before 1889.

Comparing the Empire’s political constitution with the rupture provoked by the Republic decades later will be fundamental for the revolution’s analysis. As stated earlier in

this introduction, until the end of the Nineteenth century there was a historic continuity in Brazilian political development that was followed even after independence. The monarchic tradition started during colonization and enhanced with the move of the Portuguese Courts to Brazil, was preserved even after the separation from Portugal. Consequently, there is a clear distinction between the political and historical meaning of the Empire and of the Republic. This constitutes a key part of the subsequent analysis, as it contributes to the comprehension of the profound implications of the Proclamation of the Republic for Brazilian history. Finally, it will also help to understand the Republic as a revolutionary phenomenon and differentiate it from all the other *coups* that took place from then onwards.

Chapter 1

The Monarchy

Brazilian history can be divided in three different parts: being a Portuguese colony, becoming an independent Constitutional Monarchy, and finally being established as a Republic. Since the goal of this research is to understand whether or not the republican *coup* can be considered a revolution, it is also important to look at the Monarchy established in the early Nineteenth century. After all, there is a contrast between the new regime proclaimed in 1889 and the country's previous political trajectory. Analyzing this difference is likely the best way to comprehend whether the *coup* resulted in minimal changes or a major historical rupture.

Due to the length of this project, it will not be possible to look at Brazilian history as a whole. Consequently, this chapter of the research will focus mostly on the period between independence and the establishment of the 1824 Imperial Constitution. Initially, Brazil will be analyzed as the continuation of a political process originated in Portugal. The connection between the two countries increased substantially when the Portuguese Courts and the Crown moved to Rio de Janeiro in the beginning of the Nineteenth century. This topic is relevant for showing the Monarchy as a key part of Brazilian history and its natural political system even after independence. Moving on, the process that resulted in the 1824 Constitution will be addressed throughout this chapter. Therefore, two points will be briefly analyzed: 1) some political arguments put forward by moderate and radical liberals during the 1823 Constitutional Assembly; 2) the process that led to the dissolution of the Assembly and the establishment of the State Council to replace it. As it will be presented, the 1824 Constitution did not fully result from a legislative process. Rather, it was granted by the Emperor. His legitimacy to do so, however, will also be addressed. While the 1824 Imperial Charter was based on liberal principles, it also sustained a centralized monarchy at the center of Brazil's political organization. To understand this apparent contradiction, this chapter's final topics will present Benjamin Constant's constitutional philosophy based on the division of five political powers. Besides looking at how some of Constant's ideas were applied to Brazil's own constitution, the conclusion of this chapter will show that such philosophy allowed the country to continue its political trajectory by preserving the monarchical rule inherited from Portugal.

Portugal in the New World

Independence is often a form of political rupture. Brazil's independence in 1822, however, had certain unique characteristics, as it was preceded by the arrival of the Portuguese Royal Family in Rio de Janeiro in 1808 and followed by the establishment of the same royal dynasty at the center of the country's future political system. In this way, it is possible to observe the continuation of a political process that transcended Brazilian independence, as the country preserved the monarchy inherited from Portugal in its own system of government. This idea is summed up by Oliveira Torres who stated that "the Brazilian Empire was nothing more than the continuation of the endeavour carried out by the old Portuguese monarchy" (Torres [1957] 2018, 33).

In order to better comprehend this idea, it is worth looking at the development of Brazil in the early Nineteenth century. The turning point for Brazil to become independent was the departure of the Portuguese Courts to its colony in 1808, avoiding the Napoleonic invasion. After all, between 10 and 15 thousand people left Portugal, including the royal family, ministers, judges, treasury officials, army and navy officers, members of the high clergy, taking with them government archives and the whole royal treasury. In addition, the Crown opened Brazilian ports to friendly nations soon after its arrival in America, expanding trade and reducing the country's dependence on Portugal. Even if Brazil remained a colony, it took on the contours of a sovereign nation. This trend would become even more evident in 1815, with D. João VI's decision to further integrate the colony and the metropole, making Brazil part of the United Kingdom of Portugal and the Algarves. With this measure, Rio de Janeiro became the first capital of a European Empire outside Europe itself.

Independence soon followed largely as a consequence of external factors. The early Nineteenth century was harsh for Portugal. It was first deprived of the monarchy that left to Brazil, and later saw that same monarchy remaining in Brazil even after Napoleon's defeat in 1814. Therefore, faced with a political, economical and even military crisis, Portugal finally revolted, demanding the immediate return of the Royal Court to Europe in 1820. D. João VI only accepted to returned to his home country the following year, a decision, however, not entirely to Portugal's liking since his son Pedro, heir to the Portuguese throne, was left in Brazil to rule in his place.

If Portugal faced hard times in the beginning of the century, however, this period marked a fundamental shift for Brazil. The arrival of the Courts was the element that turned the country into one of the most relevant segments of the Portuguese Empire, if not its central portion. The Portuguese revolutionaries sought to revert Brazil to the status of a colony, but it was already too late. Every new decision against Brazilian interests only drifted the two countries further apart. Therefore, independence was mainly a consequence of the Portuguese revolt against Brazil, as stated by Torres:

“Initially, it wasn’t Brazil that separated itself from Portugal; the European section of the United Kingdom was the one that revolted, forcing D. João VI to return to Lisbon, to accept a new constitution and to break up the *commonwealth*, etc. D. Pedro I⁵ and his friends were constantly talking about the anarchy and disorders of the realm, the state of coercion in which the old sovereign (his father D. João) found himself in and the least they said about the (Portuguese) Courts was to call them ‘anarchic and demagogic’. Once it was not possible to reestablish the order, they gave up on the United Kingdom and founded the Empire (of Brazil)” (Torres [1957] 2018, 33).

The relevance of D. Pedro I to Brazilian history is equally worth mentioning. At the end of 1821, the Portuguese Courts also demanded Pedro’s return to his home country, a decision that would leave Brazil leaderless. The Prince, however, refused the order. In the words of Tarquínio de Sousa, he decided to stay, “declaring himself for Brazil, against Portugal” (Sousa 2015, 864). It didn’t take long for independence to follow, declared by Pedro himself in 1822. Moreover, in spite of his Portuguese origin, he was soon acclaimed Emperor of Brazil as D. Pedro I. The consequence of these course of events is summed up by Galvão de Sousa:

“The permanence of the dynasty (of Braganza), after the separation from Portugal, avoided the violent clashes, the lingering struggles, through which the nations of Spanish America consolidated their own independence. The coming of the Royal Family to Brazil and the elevation of the former Colony to

⁵ D. Pedro I of Brazil or D. Pedro IV of Portugal.

Kingdom, in turn, had been the first elements to allow a peaceful sedimentation of the new nationality” (Sousa 1962, 127).

In this way:

“dismemberment (of the country) was avoided, which was the fate of the Spanish viceroyalties, weakened and torn apart. A united Brazil was the work of the princes of the House of Braganza: D. João VI, who laid down the foundations of the Empire, and D. Pedro I, who enabled the definitive incorporation of all the provinces” (Sousa 1962, 127).

The bottom line is that the Portuguese Monarchy had exercised a fundamental role in the development of Brazil. For the country to become independent while maintaining the monarchical form of government was but a natural consequence of its historical development. There was no real and reasonable justification for Brazil to adopt any other political organization. Moreover, the fact that Brazil had a Portuguese emperor on the throne says a lot about the gradual development of its political trajectory, characterized not by reckless adventures but by the ability to keep its history alive. Therefore, independence from Portugal was not a revolutionary process marked by the beginning of a new political endeavor in total opposition to what had previously existed. Rather it was the preservation and continuation of the Portuguese political heritage, incorporated by Brazil. The evidence for this is that “Brazil’s emancipation did not result in major changes in the social and economic order, or in the form of government. Unique example in Latin American history, Brazil remained a monarchy amongst republics” (Fausto [1994] 2019, 126).

On Constitutional Abstractionism

The emergence of a new political conception during the Eighteenth and early Nineteenth century changed the historical development of the Western world, comprising both Europe and the American continent. This conception was based on the following idea: the establishment of a successful system of government was possible as long as it was supported by a specially crafted document based on a coherent set of legal and political

principles. According to Afonso Arinos de Melo Franco, these principles received the vague name of constitutionalism, which “begins as an attempt of rational creation applicable to the government of all civilized peoples” (*O Constitucionalismo de D. Pedro I No Brasil E Em Portugal* 1972).

There was, however, a key problem with this conception: it stifled the historical and sociological realities of the different places where it was applied. In Latin American countries, this “process of anti-historical rationalization of the political ideas and of the legal arrangements was disseminated (...) through the technique of the written Constitutions” (*O Constitucionalismo de D. Pedro I No Brasil E Em Portugal* 1972).

The American constitution of 1787 was preponderant in this regard. After all, it emerged as the greatest expression of the rigid normative code that many other countries would implement in an attempt to organize their own governmental bases (which is not to say that the constitutions established by these countries were necessarily a reproduction of the American one). Rather, the United States Constitution was primarily an example of the effectiveness of a written code in setting a successful political system. However, it is crucial to observe that this system wasn’t implemented in the United States in the same dogmatic way as adopted in Europe and Latin America, which established their constitutions under rational and abstract principles, while neglecting their inherent socio-political circumstances. According to Franco:

“(Both) in the United States, as in England, the written Constitution is but the starting point of which, through legal interpretation, an empirical law in perpetual evolution is erected. Whereas in France, Italy, Spain, Portugal, Brazil and other Latin American countries, the written Constitution has always been a collection of rational and even ideal norms largely disconnected from reality, as well as intended to be rigid, and, precisely because of that, subject to violent changes by revolutionary pressures, given the general incompetence to pursue the interpretative, pacific and constructive evolution” (*O Constitucionalismo de D. Pedro I No Brasil E Em Portugal* 1972).

This is not to say that constitutions are a problem in itself. As presented here, one of the problems with the political development in the early Nineteenth century was the use of abstract principles to perfectly shape reality in accordance with them. Hence, while Latin American countries suffered with instability derived from the attempt to adapt, or even reinvent their political realities according to reason, the political development in the Anglo-Saxon world was mostly driven by experience. Their institutional stability, after all, was to a large extent a consequence of their “inherent capacity to evolve with reality so as not to sink with abstractions” (*O Constitucionalismo de D. Pedro I No Brasil E Em Portugal* 1972).

These remarks are important insofar as they contribute to understanding the political spirit under which Brazil established its own constitution. The country, however, escaped from the abstractionist trap in establishing its political organization even if it was constituted under a written legal code. By preserving the monarchical regime as its first formal system of government, Brazil maintained the connection between past and present, thus avoiding unnecessary ruptures in its historical development. The political process and the philosophical theories that allowed this to happen will be presented throughout this chapter.

The Constitution of The Empire

Brazilian independence in 1822 raised the question of how should the country be politically organized. It is true that this issue had already been debated here and there in recent years, even with republican revolutionary attempts in the country’s norther provinces. Yet, it was natural and inevitable that this discussion gained legitimacy and relevance to dominate the new nation’s political agenda. Hence, after many debates in 1823, Brazil would have its own constitution established in 1824. Moreover, the monarchical absolutism embodied by D. João VI would be quickly replaced by a new political philosophy sustained by his son Pedro.

D. Pedro’s coronation, under the words of Tarquínio de Sousa, present an interesting insight on D. Pedro himself (a description that can even be extended to the Imperial Constitution that would later be granted to the nation): it was a ceremony “with medieval

touches and Brazilian colors”, which matched the own character of the Prince, a “lover of the ideas of his century, though not detached from that which was rightfully his by inheritance” (Sousa 2015, 449). In it “epochs and systems, liberalism and divine law, Europe and America were mixed together” (Sousa 2015, 449).

In this way, D. Pedro and other deputies would seek to establish a constitution under moderate liberal principles. Benjamin Constant, in turn, whose constitutional philosophy proposed the division of powers in a monarchical regime, exerted a decisive influence on Brazil’s political formation. In a way, as will be presented later, this theory consisted of preserving the European monarchical tradition under a liberal government framework.

However, the constitution would only come into force after a long process that began before the independence, thanks to D. Pedro’s decision to convene a Constitutional Assembly in June 1822. This Assembly would meet for the first time in May 1823 until the end of that same year. It is important to observe that the country’s most radical liberals sought to demand from D. Pedro an early oath to defend the constitution, which he did during his coronation with one important condition: that it was worthy of Brazil and of himself. This was not a purely democratic condition, but neither was it entirely arbitrary. D. Pedro’s authority was supported by his royal heritage and later confirmed by the nation that acclaimed him Emperor. Therefore, according to Melo Franco, the Assembly was not “the only depositary of sovereignty, given that its existence depended on the earlier convocation by the Crown, which it recognized by the simple fact of having answered to such call” (*O Constitucionalismo de D. Pedro I No Brasil E Em Portugal* 1972). Moreover, “the power given to the Assembly was not unrestrained and its mandate established, for those who participated in it, the obligation of organizing a monarchical-constitutional system of government, in an Empire in which the previously chosen prince would reign” (Sousa 2015, 450).

Nonetheless, the radical liberal faction still yarned for a system in which the political authority, including the Emperor himself, rested on a general consent. Some of these deputies also believed that the Monarchy derived its legitimacy and authority from the Assembly, and not the other way around as it was argued above. Finally, they evoked abstract principles

regarding “powers that belonged to the nation”⁶ as a warning against a possible arbitrary power of the Emperor. Therefore, the oath taken by the Constitutional Assembly on 18 April 1823 to uphold the “constitutional Empire and the dynasty of Mr. D. Pedro, our first emperor and his descent” was still questioned by Deputy José Custódio Dias. That same day, Dias would propose an amendment to the pledge, arguing that “the representatives of the nation that is going to be established, having as a goal its improvement and greater good, do not put limits on their functions other than those that reason and justice determine and place within their reach” (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 1:3-4). As Tarquínio de Sousa rightfully points out, “Justice and reason could determine, for instance, that a federative republic be established instead of a constitutional Empire...” (Sousa 2015, 461).

Indeed, reason finds no boundaries and can be used politically to establish the most abstract and revolutionary systems of government. D. Pedro, therefore, warned against this dangerous reasoning in a speech given to the Assembly in May 1823:

“All the constitutions, like those of 1791 and 1792, that have laid their foundations and have tried to organize themselves, experience has shown us that they are wholly theoretical and metaphysical, and, for this reason, unfeasible; so proves France, Spain and, lately, Portugal. These constitutions have not fulfilled, as they should, the general happiness; but after a licentious liberty, we see that in some countries it has already appeared, and in others it will soon appear, despotism in the hands of one after it has been exercised by many...” (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 1:16)

Following these warnings, D. Pedro asked the Assembly to be attentive to the “true constitutional principles which had been sanctioned by experience”, hoping that the constitution deserved his imperial acceptance and be “as wise and just, as appropriate to the

⁶ The reference here is to writings from the freemason and liberal politician Cipriano Barata (who refused to join the Assembly despite being elected for such). Tarquínio de Sousa, making reference to Armitage, quotes Barata: “Our emperor is a constitutional emperor and not our master. He is a citizen who is emperor and head of the Executive Power because we allow it, but still he is not authorized to arrogate and usurp powers that belong to the nation (...) the citizens of Brazil wish to be well governed, but not to submit themselves to arbitrary rule” (Sousa 2015, 455).

locality and civilization of the Brazilian people” (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 1:16). José Bonifácio de Andrada e Silva,⁷ in turn, made similar remarks on the dangers of constituting a political system based on abstract principles:

“We want a constitution that gives us that liberty of which we are capable of, that liberty which makes the happiness of the state, and not that liberty which lasts a few moments; and which is always the cause and the end of terrible disorders. What an image the disgraced (Latin) America presents us! Having left a monarchical government and pretending to establish a licentious liberty, for fourteen years these people have been tearing themselves apart; and after having swum in blood, they are but victims of disorder, poverty and misery. What have we seen in Europe every time that men, hallucinated by metaphysical principles, and without knowledge of the human nature, wished to create powers impossible to sustain? We saw the horrors of France; their constitutions destroyed soon after being established and, finally, a Bourbon whom the French had excluded from the throne, and even execrated, bringing them peace and harmony!” (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 1:26).

Both D. Pedro and Bonifácio Andrada understood the importance of the Monarchy within the Brazilian political context. The fact that they supported the liberalism of the time did not prevent them, however, from understanding that abstract ideas alone were not enough to constitute a stable and lasting nation.

Despite these warnings, conflicts soon began to emerge between the Assembly and the Emperor - or rather, between some members of the Assembly whose ideas inverted the hierarchy of the political authority, putting all its legitimacy at risk. As an example, it is possible to observe the many disputes held in the Assembly regarding the Crown’s powers to sanction and veto bills passed by it (some of which were indeed approved without the Emperor’s consent), and the power to dissolve the House of Deputies. The type of monarchy

⁷ José Bonifácio de Andrada e Silva was Minister for Kingdom and Overseas Affairs until mid-1823, and one of the most relevant men in Brazilian history for the role played in the independence from Portugal, which granted him the official title of “Patron of Independence of Brazil”.

that Brazil would have motivated much of this contest regarding the attributions of the Executive and the Legislative branches. D. Pedro would not accept having a merely decorative role. Although this was not the only factor responsible for the deterioration of the Crown's relationship with the Assembly,⁸ it was instrumental in D. Pedro's decision to dissolve it on November 11, 1823. In his decree, D. Pedro expressed his right to convene "the constitutional and legislative assembly (...) with the purpose of saving Brazil from the dangers which lay before it". However, having the Assembly "broken the solemn oath, which it swore to the nation, to defend the integrity of the empire, its independence, and my dynasty", D. Pedro felt he was in his right to dissolve the Assembly and convene another one with the purpose of analyzing a constitution presented by him and "twice more liberal than the one that the extinct assembly had done" (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 6:247).

In truth, no assembly was convened to replace the extinct one. In its place, D. Pedro I formed a State Council to write a new constitution. This charter replicated much of the previous project, with the exception of one fundamental element which was missing before: the formal establishment of the Emperor's role in the nation's political life under the Moderating Power - resulting in a less parliamentary constitution than the previous one. According to Galvão de Sousa, however, it was precisely the Moderating Power that allowed Brazil to "escape from parliamentary anarchy" (Sousa 1962, 125). In any case, the institutionalization of the Monarchy as moderator kept the nation's historical continuity alive, while blending it with a liberal political structure, and not just the former without the latter.

The Legitimacy of the Granted Constitution

The period of the Brazilian independence and the constitution of its formal political system can be considered a moment of transition in which the idea of absolutist monarchy

⁸ Tarquínio de Sousa mentions, for instance, the Assembly's growing distrust in relation to D. Pedro due to his Portuguese origin: "the gathering of the Constitutional Assembly, for what it represented as the assertion of the flourishing nationality, of its unity, of its diversity, would inevitably arouse an outbreak of nativism or (...) of nationalism" (Sousa 2015, 504). The fact that many Portuguese predominated in the public administration (the Army, the Judiciary, Ministries of State) would end up "poisoning relations between the Assembly and the Emperor" (Sousa 2015, 506)

gave place to a modern political philosophy. The traditional conception of absolutism was based on a notion of royal sovereignty which “transcended the rational limits of society and the state”, being a “political institution whose origin, exercise and destination were regulated by the so-called ‘divine right’” (Alecrim 2011, 136:46). As such, the Royal Power was not primarily based on popular will; rather it was based on the king as an entity, as an institution himself.

In the mid-eighteenth century, different theories originated in France sought to change this political conception. These new ideas were destined to “remake the royal sovereignty theory under new basis and clearly democratic in character, as it formulated the principle of representative monarchy, founded under a pact between the Prince and the People” (Alecrim 2011, 136:46).

Admittedly, the very notion of a representative monarchy would eventually lose its appeal in much of the Western World as the Enlightenment advanced and swept away from the political environment many traditional concepts that couldn’t be easily explained by the rationality of the time. Hence, even the French constitution of 1791, which in the words of Alecrim was the “legitimate result of two constituent wills: the proposition produced by the Constitutional Committee on September 3rd and the acceptance given by the King on the 14th” (Alecrim 2011, 136:49), was discarded soon after by ever more radical projects as the French Revolution advanced.

In Brazil, however, the situation was initially different from that of previous century France - although very much influenced by the ideas springing from there. Following the dissolution of the Constitutional Assembly in the end of 1823, the Emperor, through the State Council established soon after, presented a new constitution to the country that was signed in 1824. Yet, the Emperor did not “follow the monarchical process of pact” (Alecrim 2011, 136:54) between a legislative body and the Crown “regarding the establishment of the fundamental law of the Empire” (Alecrim 2011, 136:54), as had been the case in the beginning of the French Revolution. Rather, he ended up following the traditional path, “a remnant of the old royal absolutism, restored a few years earlier in France by Louis XVIII, when issuing, by unilateral decision, the Constitutional Charter of June 4, 1814” (Alecrim 2011, 136:54).

According to Alecrim, however, that did not take away the legitimacy of the action. On the contrary, it was a “legitimate constitutional act, since a monarchical constitution could also rise through a unilateral political decision from the subject of the Constitutional Power - the King” (Alecrim 2011, 136:54). This was the case because in the unrestrained monarchies, of which Brazil was part of until recently, “it was this dynastic legitimacy that conferred legal validity to the constitutions; granted because the king was *historically* the subject of a primary Constitutional Power (*potestas constituens*)” (Alecrim 2011, 136:55). Therefore, D. Pedro was “manifesting his constitutional power whose exercise found limitations only in himself” (Alecrim 2011, 136:55) by unilaterally granting the charter of 1824 instead of accepting that of the Assembly.

The key to understand the source of this unilateral power of the monarch - which is much different from any other autocratic leadership that emerged throughout the Twentieth century -, is that it did not stem from the king as a simple individual, but from the “historical legitimacy of a dynasty linked to the state” (Alecrim 2011, 136:55). Consequently, the king’s power, in Europe and in Brazil, was not based on simple abstract principles, but on history and tradition, which are, in practice if not in theory, sources of legitimacy as much as popular will.

Benjamin Constant and Carneiro de Campos

D. Pedro was an ambiguous figure. On one hand, as an individual and political being, he was and sought to be regarded as a liberal. On the other hand, as a prince and then emperor, he would not renounce the power he was entitled to. This was likely a reflex of his own personality, portrayed by the English traveller Maria Graham as a man excessively committed to the work of supervising public offices and with an enthusiasm “for governing small things” (Graham 2010, 82). Graham knew the royal family personally, having been the tutor of Princess Maria da Glória, daughter of D. Pedro and future Queen of Portugal. Her remarks about the Emperor are interesting for showing his restless nature, exemplified, for instance, by his enthusiasm for the navy: “He is often in the dock-yards by daylight, and the Empress generally accompanies him” (Graham, n.d., 219). During a period of conflict with

the country's norther provinces, Pedro arrived on board of the ships everyday at 6am, "intervening in the supply ships, demanding the impossible from the water tanks, swinging along the ropes from deck to deck to the lowest parts of the hold, refusing any use of stairs or other conveniences" (Graham 2010, 81). Given such a personality, it is difficult to imagine that D. Pedro would accept playing a minor and mere decorative role in the country's political affairs.

Still, the Emperor was a genuine supporter of the liberal ideas of his time. The end of the Constitutional Assembly generated suspicions, concerns and even revolts among certain groups in society, but did not mean the establishment of an absolutist rule. After all, D. Pedro was engaged in the completion of the constitution which was finally implemented in 1824, and which he "vainly intended to link the name of prince, held throughout the world, due to the attitudes adopted so far, as an enthusiast of liberal ideas" (Sousa 2015, 528).

The question is: how could a sovereign that saw himself as a liberal and wanted to be recognized as such, justify his royal power in an era where republicanism - though not a prominent movement in Brazil - was already increasingly influential across much of the Western hemisphere? The answer lies in the constitutional theories of Benjamin Constant, as they offered the theoretical basis for a system of government at the same time liberal and monarchical.

Since the Assembly, some of its moderate liberal members would employ Constant's ideas in the debates regarding the constitution and the Emperor's powers. That was the case, for instance, of José Joaquim Carneiro de Campos, later "Marquês de Caravelas", who would later take part in the State Council organized by D. Pedro and be one of the main redactors of the 1824 Imperial Constitution. The employment of Constant's ideas in the Assembly's debates shows how much the French philosopher's rationale was present in the minds of some of the Brazilian framers. On one occasion, for instance, Carneiro de Campos thought it necessary to remind his peers about the sovereign's powers when discussing whether or not he should have the authority to sanction decrees enacted by the legislative body:

"The monarch, inasmuch as he is the head of the executive power, does not exercise it; his ministers are the ones who exercise this power, and that is why

they are responsible and not the monarch; the (power of) sanction do not belong to the executive power (...) it is an attribution of the vigilant, or moderating power, which in representative monarchies only the monarch can exercise” (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 6:130).

Regarding the attributions of the Executive and Moderating Power, Constant similarly argued the following:

“(...) the first indispensable condition to guarantee that responsibility is effective is the separation of the executive power from the supreme power.⁹ The constitutional monarchy achieves this great goal, but would lose this advantage if these two powers were to be confused” (Constant [1814] 2014, 43).

“The ministerial power is the only support of the execution in a free Constitution, in such a way that whatever the monarch proposes, he will have to do so through his ministers. His competence is minor, because his signature is not the guarantee of his responsibility before the nation. When it comes to appointments, the monarch decides for himself: it is one of his undisputed powers. But when it comes to a direct action or to a simple proposal, the ministerial power is obliged to pre-empt the act so that the discussion or resistance never undermines the Head of State” (Constant [1814] 2014, 43-44).

Accordingly, the fact that the Executive and the Legislative Power - ministers and parliamentarians respectively - have the duty to take the initiative, make them “active powers” according to Constant’s political philosophy. Meanwhile, the sovereign has the right to use his Neutral or Moderating Power to approve (or not) any decisions taken by the parliament and to act only through indirect means - that is, through the ministers previously appointed to office. In other words, the monarch detains a passive power, reason why he cannot be held accountable. Furthermore, the sovereign is an inviolable part of the political organization according to Constant:

⁹ Or Moderating Power.

“When it comes to political responsibility, the following considerations are equally valid: a hereditary monarch can and should be inviolable; he is a separate being, situated on the pinnacle of the building. His particular attribution, which lasts not only on him, but on all his lineage, from his ancestors to his descendants, separates him from all the individuals of his empire” (Constant [1814] 2014, 41-42).

“The elements that constitute the veneration which surrounds the monarch prevent him from being compared to his ministers; and the continuity of his mission makes that all the efforts of his supporters be directed against the new cabinet” (Constant [1814] 2014, 42).

This idea was applied to Brazil by making the monarch head of the Executive Power. This branch of government, however, was exercised by the ministers of State appointed by the sovereign, which allowed him to guide national policy without being held accountable. At the same time, the monarch’s Moderating Power allowed him to freely dismiss ministers of State in order to reorient government policies. All in all, this made the sovereign inviolable, thus preserving all his royal lineage. Constant would further explain the benefits of having this royal element to balance and bring harmony to the political sphere:

“It constitutes a great success of the political organization to have created in the very heart of disagreements, an inviolable sphere of security, majesty and impartiality, without which no liberty is possible. This creation allows disagreements to unfold without any danger, as long as they do not exceed certain limits, and that, when the king manifests himself, they are settled on legal, constitutional and non-arbitrary means. All of this immense benefit is lost if the power of the monarch is lowered to the level of the executive power, or if this level is elevated to the level of the monarch” (Constant [1814] 2014, 40).

Carneiro de Campos, in turn, argued that the monarch’s influence over the Legislative Power (although this influence can be extended to the other branches of government as explained above) was due to the need “for a vigilant and moderating power in representative governments” that was the “watchtower of liberty and the rights of people”. It was the role of

the sovereign to supervise and counterbalance “all the other powers so that they restrain themselves within the limits determined by their very nature, and do not become harmful to the nation” (*Annaes Do Parlamento Brasileiro: Assembléa Constituinte* 1823, n.d., 3:129).

According to Constant, however, two great problems emerged when the executive and the monarch’s power were mixed together:

“If these two powers are confused, two great questions become unresolvable: first, the destitution of the executive power itself, and the second, the authority’s responsibility. The executive power truly resides in the ministers, but the authority which could remove it has the downside, in absolute monarchies, of being its ally and in the republic, of being its enemy. Only in the constitutional monarchy does authority rise to the rank of judge” (Constant [1814] 2014, 40).

Constant explained that rebellions were the only real way of getting ride of the government in absolutist monarchies. This solution, however, was often worse than the problem it sought to resolve. Regular means of overthrowing a government were organized in the republics, but the result was often equally violent according to Constant. It is important to observe the context of these arguments. Constant lived through the French Revolution and the republics it failed to implement, resulting in tremendous political instability. The constitutional monarchy in which the sovereign acted as an arbiter between the different political spheres of government offered a solution. It proposed that the monarch had the power to dismiss his ministers without punishing them for crimes, but out of the need to maintain the stability of the State and prevent the abuses of authority.

These are just some of Constant’s ideas that influenced the thinking of members of the Assembly such as Carneiro de Campos. Most importantly, these ideas would end up in the Imperial Constitution of 1824, given the role played by Campos in the State Council. D. Pedro was not unfamiliarized with Constant’s philosophy either. Not only had he read Constant’s works, but he had also closely followed the debates held in the Assembly. It is possible to observe the involvement of the monarch even in the base project of the 1824 Constitution, which served as a starting point for the constitution elaborated by the State Council. Four political powers were established in this base project: the most distinct one of

them being the Moderating Power,¹⁰ thus consolidating Benjamin Constant's influence on the political organization of the Brazilian Empire.

Benjamin Constant and the Constitution of the State

In addition to Benjamin Constant's ideas about the political organization of the State and the role played by the constitutional monarch as an arbiter of the other political institutions, it is also important to present some of his concrete constitutional formulations and show how they were applied in Brazil.

Broadly speaking, Constant argued that the sovereign "needs to be situated above the facts" (Constant [1814] 2014, 38). This means that the monarch doesn't judge based solely under concrete evidences, but that he is able to make decisions according to his conscience and within the powers attributed to him. His goal is to seek the stability of the State, the harmony between the institutions and the liberty of the citizens. In order to achieve that, "he must be neutral, so that his action extends to every issue it is required and do so with a conservative, restorative and non-hostile criterion. The constitutional monarchy has this neutral power within the Head of State" (Constant [1814] 2014, 38). Therefore, the fact that the sovereign is above the other political institutions doesn't mean he can take arbitrary measures. On the contrary, while he can act under his own judgment, he does so with the specific intention to preserve or, if needed be, restore the institutional balance and the well being of the nation. "The real interest of this power is to prevent one power from destroying the other, and to allow that they all support and understand one another" (Constant [1814] 2014, 38).

Unlike the three regular political institutions (executive, legislative and judiciary), Constant envisioned a broader division between five constitutional powers:

"Until now, three powers have been distinguished in such political organizations. For my part, I distinguish five, of different nature, in a

¹⁰ An interesting fact about the original version of this base project is that it is possible to see the endorsement given by D. Pedro I to the establishment of a Moderating Power, given that he wrote "sim" (yes), in his own handwriting bellow the word "Moderating".

constitutional monarchy: first, the royal power; second, the executive power; third, the representative power of continuity; fourth, the representative power of opinion; the fifth, the power to judge. The representative power of continuity resides in a hereditary assembly; the representative power of opinion in an elected assembly; the executive power is entrusted to the ministers; the power to judge, to the courts. The first two powers make the law; the third handles its general execution and the fourth judges particular cases. The royal power is above these four powers; an authority at the same time superior and intermediary, interested in sustaining the balance and, with the utmost concern, preserving it. The Head of State must take the precaution not to substitute, in his actions, the other powers, even if men do not always obey his interests. In this lies the difference between the absolute and the constitutional monarchy” (Constant [1814] 2014, 38).

This framework was adopted almost in its entirety in the 1824 Political Constitution of the Empire of Brazil. It stated, in Article 10, that “There are four political powers recognized by the Constitution of the Empire of Brazil: the Legislative Power, the Moderating Power,¹¹ the Executive Power and the Judicial Power”. At first glance, the greatest difference between Constant’s proposition and the system implemented by Brazil seems to be in the junction of the powers of opinion and continuity, forming a single legislative body. There was, however, an important practical difference between the House of Deputies and the Senate that made up the Legislative Branch: while the deputies were elected for a temporary term (Art. 35), the Senate consisted of lifelong members (Art. 40) elected from a triple list made by the Emperor (Art. 43). Unlike the power of continuity envisioned by Constant, the Brazilian Senate was not a hereditary assembly. Still, the idea of a lifetime tenure offered a higher degree of continuity that would not exist if its members were elected for a temporary term, as was the case with their peers in the House of Deputies.

Moreover, Constant assigned some specific roles to the sovereign in addition to his broad responsibility to preserve the balance of the institutions. “Noble, fair and sublime

¹¹ The moderating power, as established by the Brazilian constitution, was often called by Benjamin Constant neutral power or royal power. Therefore, the difference in names does not constitute a difference in itself between the system devised by Constant and the one implemented in Brazil.

prerogatives are given to the monarchs in a free Constitution. They are entitled to grant mercy, a right of an almost divine nature, which repairs the errors of human justice or its excessive and inflexible rigor, which is also an error” (Constant [1814] 2014, 45). This was present in the 1824 Constitution that granted the Emperor the power of “Forgiving and moderating the sentences imposed to the convicted defendants” (Art. 101, Item 8). According to Constant, the sovereign also had the fundamental right to “dissolve representative assemblies and thus preserve the nation from the deviations of its agents, calling for new elections” (Constant [1814] 2014, 45). The Emperor of Brazil could also use his powers in the same manner, “Postponing or deferring the General Assembly”, composed by the two chambers of the Legislative Power, “and dissolving the House of Deputies in cases where the salvation of the State is required, immediately calling another one to replace it” (Art. 101, Item 5).

Constant didn’t believe that the sovereign’s right to dissolve assemblies was excessive, since “the inherent tendency of assemblies to infinitely multiply the number of laws constitutes”, in itself, an “irreparable inconvenience” (Constant [1814] 2014, 47). Moreover, Constant argued that this tendency was almost inevitable, as it was a human inclination that “Those in government always want to be governing; and when, because of the division of powers, a group of them is told to make laws, they cannot imagine they could possibly make too many” of them - after all, “Anytime you give a man a special job to do, he does more rather than less” (Constant 2003, 63).

It is important to observe that a question often raised at that time is whether men should rule, or whether men should submit to the rule of laws. Since men are flawed and prone to arbitrariness, the rule of law was often thought to be a better alternative. Constant, however, made important remarks on this topic. He agreed, for instance, on the statement that “The law must command in order that men shall not”, but observed that this was true “when it is a question of obeying, and when commanding is called for. On countless matters, however, men and law alike should keep quiet, since one should not obey either” (Constant 2003, 65). It is worth mentioning that Constant objected to certain ideas proposed by Rousseau concerning the general will in order to understand this statement. The fact that Constant acknowledged that collective decisions must be taken by the majority of the people,

therefore, didn't stop him from considering that some issues must not be decided by any will whatsoever, be it of the strongest of the groups or of the smallest of the minorities. Consequently, he argued that "there is a part of human existence which necessarily remains individual and independent, and by right beyond all political jurisdiction. Sovereignty (of the social body) exists only in a limited and relative way. The jurisdiction of this sovereignty stops where independent, individual existence begins" (Constant 2003, 31). Government actions become illegitimate if they threaten "that part of individual life beyond its proper scope" (Constant 2003, 31).

All this reasoning took shape in the way Constant saw the relationship between governments and laws: "the multiplicity of laws", he argued, "is the weakness of representative states, because in them everything is done through laws, while the absence of laws is the disease of the absolute monarchies, because in them everything is done through men" (Constant [1814] 2014, 48). Therefore, Constant concluded that the power of veto ensured that the careless activity of legislative assemblies could be checked. In Brazil, this right to veto was guaranteed by the Art. 64 and Art. 66 of the 1824 Constitution, which allowed the sovereign to refuse to give his consent to the laws passed by the legislature. Constant, however, also believed that using this power regularly could irritate the legislative body without settling the troubles caused by it. The solution was to allow the monarch to dissolve the assembly, a right that in Brazil was granted to him by Art. 101, Item 5 of the Constitution, as previously presented.

The final similarities worth observing between Constant's philosophy and the Imperial Constitution of 1824 concerns the Moderating Power itself. Besides having the power to dissolve and convene legislative assemblies, Constant also granted the sovereign with the power to appoint ministers of State - "which provides the monarch with national gratitude when the ministers are discharged with dignity from the mission entrusted to them" (Constant [1814] 2014, 45-46). This power was established by the 1824 Constitution, which stated that the emperor exert his Moderating Power by "freely appointing and removing ministers of State" (Art. 101, Item 6).

As it was already shown, Constant believed that the Executive and Legislative Branches were active powers, meaning that the monarch could only act indirectly through

them. This can be observed in Art. 102 of the Constitution, which states that “The Emperor is the Head of the Executive Power and exercise it through his ministers of State”. The result is that “The Person of the Emperor is inviolable and sacred; he is not bound to any responsibility” (Art. 99). This is a clear reflection of Constant’s ideas, which placed the monarch at the top of the political hierarchy and separated from the other institutions as presented earlier. Therefore, the result of this philosophy went beyond the fact that Emperor’s role was to “watch over the maintenance of the independence, balance and harmony of the other political Powers”, making it clear that he was the “key of the whole political organization” (Art. 98).¹² This last sentence was literally translated from Constant’s writings, thus making his decisive influence on Brazilian politics after independence even more evident.

Past and Present, Tradition and Modernity

The influence of Benjamin Constant was decisive on the early political organization of Brazil. His ideas were present in the debates of the Constitutional Assembly, then in the State Council, in the minds of prominent politicians and in the mind of the Emperor himself. At the same time, Constant also took notice of what was happening across the ocean. Thanks to the publications of Tarquínio de Sousa, who made primary sources of research widely available, it is known that Constant greatly admired the political efforts of D. Pedro I, writing around 1821 the following:

“I do not hesitate to say, the arrival of D. Pedro in Portugal would give Europe a new face. Never was a man called to produce such an effect. Let’s look around us. We will see aging governments, struggling with the moral disposition of their subjects and of their century (...) preaching that which we do not believe in, forcing the reading of that which we do not read, isolated from their people (...), driven by Ministers who only hope for a postponement during which they

¹² The original text states that the royal power is “*la clef de toute organisation politique*”. Literally speaking, “*clef*” means “key” - or “*chave*” in Portuguese, as it was established in the constitution. Afonso Arinos, however, considered that in the original text, “*clef*” could also mean the closure, as in a closure of a dome. He considered this translation to make more sense, once it gives the idea of the royal power acting to support and coordinate the political organization, rather than interfering in it.

look after their personal affairs (...). That a man appears, strong in his legitimacy, in his own land, rallying around him that which is enlightened in his country and the wishes of all that is good in the rest of Europe. No one will dare attacking him. He will dictate laws in his realm, first by his rights, and soon outside by his example. The Cabinets feel it. D. Pedro is the object of their dread. His arrival would be the salvation of Portugal and the resurrection of Europe” (Sousa 2015, 646-647).¹³

There is a certain ambiguity in Constant’s political thoughts that results from the very combination of his liberal stance with the defense of a monarchical political system. His concern in accommodating the liberal ideas that dominated Europe during and after the French Revolution and the monarchical tradition that previously existed is evident according to Wander Bastos. He argued that Benjamin Constant was, above all, “a constitutionalist who sought to study and suggest alternatives not to the seizure of power (...) but to institutionally accommodate the political and social segments that history had antagonized (...)” (Bastos 2014, 15).

Therefore, it may seem paradoxical that D. Pedro could give “Europe a new face”, according to Constant, whereas in Brazil he personified the preservation of the Old Continent. Yet, this is entirely coherent with Constant’s political philosophy, which entangles liberalism, constitutionalism and division of powers with the conservation of the old monarchies that had been the basis of European political organization. The result for Brazil is that “The constitutionalization of Benjamin Constant’s thoughts (...) legitimized the establishment of institutes that enabled the process of political accommodation that succeeded the independence, contributing to the isolation of the liberal radicals during the formation of the national state and allowing the political coexistence with the conservative moderation” (Bastos 2014, 26).

¹³ “Je n’hésite pas à le dire, l’apparition de D. Pedro en Portugal donnerait à l’Europe une face nouvelle. Jamais homme ne fut appelé à produire un pareil effet. Regardons autour de nous. Nous verrons des gouvernements vieillis, en lute avec la disposition morale de leurs sujets et de leur siècle [...] proclamant ce qu’on ne croit pas, faisant lire ce qu’on ne lit pas, isolés de leurs peuples [...] dirigés par des Ministres qui n’espèrent qu’un ajournement pendant lequel ils soignent leurs affaires personnelles [...]. Qu’un homme paraisse, fort de sa légitimité, sur son propre terrain, ralliant autour de lui ce qu’il y a d’éclairé dans son pays, et les vœux de tout ce qu’il y a de bon dans le reste de l’Europe. Nul n’osera l’attaquer. Il dictera des lois, d’abord par ses droits, dans son Royaume, bientôt au dehors par son exemple. Les Cabinets le sentent. D. Pedro est l’objet de leurs terreurs. Son arrivée serait le salut du Portugal et la resurrection de l’Europe”

In this way, Brazilian independence can be considered, at the same time, a process of rupture and continuity. On the one hand, Brazil ceased to submit to political decisions coming from Portugal. On the other hand, and even more significant, was Brazil's ability to absorb and preserve the monarchical tradition inherited from Portugal and thus internally establish a system of government in line with its previous political experience. This was possible thanks to two factors that were pointed out throughout this first chapter: the constitutional theories of Benjamin Constant - which provided the philosophical bases for the implementation of a monarchical political system - and D. Pedro I - whose decision to declare Brazil's independence and to give its first constitution allowed the country to have this mixed system of liberalism and monarchy, tradition and modernity, without which it would have headed towards the future without preserving its past.

Chapter 2

The Republic

In the decade and a half after the promulgation of the 1824 Constitution, Brazil went through a period of instability caused by both internal and external factors. In Portugal, the death of D. João VI in 1826 resulted in disputes over the succession to the Throne and eventually war between his two sons: D. Pedro I, Emperor of Brazil, and D. Miguel, who claimed the Portuguese Crown for himself. In 1831, D. Pedro I was forced to abdicate the Brazilian Crown. He fought against D. Miguel over the following years, achieving victory in Portugal but dying at an early age in 1834.

Meanwhile in Brazil, the succession to the Throne went to Pedro's son, D. Pedro II, however, was only five years old when his father abdicated and consequently unfit to exercise his role. Brazil faced one of the most turbulent periods in its history in which it was ruled by an interim government. D. Pedro II's age of majority was lowered in 1840 and he was crowned Emperor in 1841, at the age of 15, in order to avoid a potentially destructive instability. However, if the first decades of the Brazilian Constitutional Monarchy were characterized by uncertainty, the same would not happen during the "Second Reign".¹⁴ Brazil went through a period of greater stability during the rule of D. Pedro II, having a functional Monarchy and characterizing itself as an emerging power in the international scene. This raises an intriguing question as to why the Monarchy was so suddenly replaced by the Republic in 1889.

Different subjects will be addressed over the course of this chapter. Initially, it will be necessary to present some of the reasons that led to the implementation of the Republic. Despite the complexity of this issue, it is worth presenting some political consequences of the abolition of slavery in 1888, the role played by the army in the insurgency against the government, and the relation between positivism and the implementation of the Republic. Secondly, a large share of this chapter will be dedicated to positivism itself. The following subjects will be addressed within this topic: 1) the surge of positivism within the army's ranks; 2) the positivist philosophy on the historical development of the human intellect and its relation to the development of societies; 3) the influence of positivism in the formation of Brazil's new republican political organization. The final third of this chapter will address two further issues. First, the republican and imperial constitutions will be compared in order to

¹⁴ The "Second Reign" is the period from 1840 to 1889 under the rule of D. Pedro II.

understand some of the political changes brought by the Republic. Lastly, some considerations will be raised about the abstract ideas that guided the establishment of the country's new regime. This is perhaps the most fundamental issue for understanding the historical significance of the Republic. It is relevant insofar as it allows a comparison between the political formation of the Empire following a previously existing political tradition, and the political process that led to the consolidation of the Republic, breaking with the historical legacy that had been preserved until then.

Considerations on the Causes of the Republic

The Proclamation of the Republic was a direct result of the military dissatisfaction with the government and the political class in general that had been building up since the end of the Paraguayan War and reaching its peak in 1889. At the same time, other factors came into play in this period, reducing the stability of the imperial regime. Support for the republic could be found since the beginning of the decade but increased from 1870 onwards, reflecting in the creation of the republican parties of Minas Gerais and São Paulo.¹⁵ Despite enjoying little endorsement from the population at large, the republican ideas still contributed to the Monarchy's loss of support. More important still was the abolition of slavery in 1888 which upset much of the agricultural sector leaving the Crown even more exposed. If the emergence of republican parties and the prohibition of slavery contributed to the situation that would lead to the end of the imperial regime, it is important to note, however, that neither the republicans nor the farmers participated in the *coup* against the Monarchy, as observed by Torres:

“The republican propaganda and the farmers' lack of commitment towards the imperial family, due to the abolition, only created a favorable environment for the new regime. The propaganda against the third reign, due to the French

¹⁵ By then, two of the country's most important provinces.

origin of the count d'Eu,¹⁶ had the same effect. These elements facilitated the establishment of the republican regime, or better yet, they prevented a reaction against the new state of things” (Torres [1957] 2018, 85).

The Proclamation of the Republic on November 15th did not encompass a wide range of groups. Rather, it was carried out by the army at the forefront and a handful of other people. This situation is briefly summed up by Lyra who says that the Monarchy fell after a *coup* led by “half a dozen of the Army’s captains and lieutenants, being led by an impetuous and angry General, and another half a dozen of audacious civilians” (Lyra [1940] 2021, 915). That happened despite the fact that the Empire had provided the country with “almost half a century of internal stability, prosperity and public liberty”. Moreover, it is certain that “there wasn’t the slightest display of reaction in the whole national territory” after the Empire had fallen (Lyra [1940] 2021, 915). D. Pedro II found himself alone and abandoned at the time when the army proclaimed the Republic:

“His supporters withdrew and no one showed up to defend the monarch’s throne. The House of Deputies and the Senate concealed themselves: the Senate, which was the cenacle of the most prominent political leaders, did not dare to draft a protest. It was inflicted by the passivity of the Roman Senate in the Rome of the Caesars” (Lima [1927] 2021, 268).

Still, what is the reason why the Monarchy seemed so frail towards the end of the century and why was the Republic established without any significant opposition after 1889? Beforehand, it is important to remember that the country had not been a mere Portuguese colony, but a Portuguese venture. The Crown had always been active in guiding the country’s development. After independence, it was only natural for Brazil to preserve the Monarchy - not because it belonged to Portugal but because it also belonged to itself. In addition, the country had established its constitution in 1824 not at random, but under the theoretical framework proposed by the French philosopher Benjamin Constant. In spite of these two important facts, few people in Brazil clearly understood the historical and philosophical basis

¹⁶ The reference here is to the line of succession. By 1889, D. Pedro II was old and ill. The next in line would be his daughter, princess Isabel, who ended slavery in Brazil by signing the *Lei Áurea* in 1888 when her father was in Europe. While D. Pedro was respected, there was fear among certain elite groups regarding her reign. The reasons for it vary, but Torres presents the French origins of her husband as being one of them.

that justified the existence of a Crown on a largely republican continent by the end of the Nineteenth century. That is the explanation proposed by Torres, who argues that “No one would be able to tell what was the historical, political, legal or practical *raison d’être* of the Brazilian institutions and form of government. It was accepted as a *fait accompli*” (Torres [1957] 2018, 34). As a consequence, “The Empire was only defended as a momentary utility thing. Or else, out of a feeling of personal loyalty and friendship to the sovereign (...) The need to keep the emperor on the throne was advocated, but the existence of this same throne was not considered a very important thing” (Torres [1957] 2018, 82).

According to that statement, the Crown was left ideologically vulnerable due to the lack of rational explanations that could justify the Monarchy’s existence. Torres argues that positivism conquered many minds precisely because of the absence of a set of ideas under which the Monarchy could rest (Torres [1957] 2018, 37). Sure enough, positivism’s influence was mostly circumscribed to the military environment. Around 80% of the Brazilian population was illiterate during the second half of the Nineteenth century.¹⁷ It is difficult, therefore, to imagine that such a philosophy would be widely disseminated in a country whose levels of education were so low. In any case, the fact remains that positivism was determinant in promoting the republican ideal against a Monarchy whose support seemed increasingly circumstantial as opposed to substantial (a problem that got increasingly worse as the Emperor’s health declined).

The emergence of positivism within the army equally explains why the military insurrection resulted in the Republic. By the end of the 1880s, the army was no longer the orderly institution of a few decades earlier. The old generation of generals with a true civic spirit and strict discipline had given place to young officers inclined to academic debates rather than military activities. These officers “attended clubs, discussed politics and literature, rather than going through the training camps” (Lyra [1940] 2021, 859). Given this mentality, it could be expected that the army’s “officialdom would sooner or later come into conflict with the civilian element in Power” (Lyra [1940] 2021, 860). To this were added several quarrels with the political class, less and less trusted by the army’s officers who complained,

¹⁷ This data is presented by Fausto based on the analysis of the 1872 census. These data show that in addition to the 80% illiteracy rate among free men, 86% of women and 99.9% of slaves were also illiterate.

among other things, about low earnings, declining military spending and slow promotions to advance in the career. Furthermore, high-ranking officers accused the politicians of considering themselves superior to the military. Thus, the relationship between the military class and the government quickly deteriorated into increasing acts of insubordination.

The army was acting as an oligarchic group seeking to defend its own interests in order to have a greater say in the political affairs of the nation. The army's insubordination only served to deepen the disputes between the political and the military class. It was a political crisis in the making. Yet, as a political crisis, it could have been limited to a cabinet reshuffle. The army's high-ranking officers were not revolutionaries. Their frustration and discontent did not extend to the Crown. Marshall Deodoro da Fonseca himself, who led the *coup* and became the country's first president, had nothing against the Monarchy. On the contrary, he had no republican convictions and respected the sovereign, only acting against him because of a false story that Pedro II ordered his arrest and was willing to appoint a former rival to head the Executive Branch. The younger officers, who were politicians more than military and ideologically positivists, were the ones with revolutionary aspirations. Recently, Gauthier explained that "Apparently, the army's high-ranking officers, opposed to parliamentarianism but attached to the emperor, were swiftly overwhelmed by the republican far left, who used them to get to power" (Gauthier [2018] 2021, 281). Torres adds that positivism was the true reason why the army's revolt ended in the Republic:

"Positivism became the true cause for the *military issue*¹⁸ to have adopted republican shades. Otherwise, the conflict between the troops and the government would produce nothing more than a cabinet change. Positivism, through Benjamin Constant, influenced Deodoro to depose D. Pedro II and to establish the Republic against his will. Besides that, it was positivism the cause of the Army's republicanism" (Torres [1957] 2018, 85).

A brief remark on this quote is necessary in order to avoid misunderstandings: Torres claims that Benjamin Constant participated in the republican *coup d'état* thanks to his influence over Marshal Deodoro da Fonseca. This person, however, had nothing to do with

¹⁸ In Brazil, the army's growing discontent which led to the insurrection against the crown received the name of *questão militar*, translated here as "military issue".

the French philosopher Henri-Benjamin Constant de Rebecque other than the similar name. Rather, Torres is writing about Benjamin Constant Botelho de Magalhães who was a military man devoted to Comte's philosophy and one of the army's most influential positivists. His involvement with positivism and the Proclamation of the Republic will be discussed later on.

What is important to point out is that the army delivered the *coup* while positivism made it republican. Therefore, Comte's doctrines have to be carefully analyzed from its influence within the Brazilian army to its philosophical tenets. It was this positivist mentality, after all, that led many influential people to believe in the idea of historical progression, in which monarchies were a thing of the past and republics the governments of the future.

Positivism in Brazil

The emergence of positivism in Brazil is an interesting and, at first, contradictory fact. The reason is that this ideological doctrine arose precisely within the military forces (more specifically within the army). As will be discussed in more detail later on, Auguste Comte thought that the development of the positive mind, as opposed to the theological mind, would move societies away from the military order of the past (which was dying) towards the final industrial order (which was being born). Therefore, positivism within the army could be considered an irony in itself.

Torres noted that this contradiction of military positivists was, nonetheless, consistent with Nineteenth-century Brazilian circumstances: "The Military School (located at the capital of the Empire) was mainly a school of engineers. Those who had a vocation for mathematic teachers completely lost their warlike spirit" (Torres [1957] 2018, 40). Positivism oriented the formation of the country's military schools, with the officers being educated more as mathematicians than military personnel. "There was a progressive *civilianization* due to this increasing positivist infiltration. After a while, many of our military officers were military in their uniforms only" (Torres [1957] 2018, 41).

According to Teixeira Mendes and Miguel Lemos - the latter founder of the Positivist Church of Brazil -, the first trace of positivist influence in the country can be found in 1850,

with a PhD thesis on statics presented inside Rio de Janeiro's Military School. Within the following years, more and more theses showed extensive influence from Comte's philosophy, and all of them emerging inside the army. Mendes and Lemos make the important observation that Comte is overtly quoted in those papers, instead of being vaguely mentioned. Thus, by "Entering the Military School in 1852, Benjamin Constant penetrated into an environment already influenced by the prestige of Auguste Comte" (Mendes [1913] 1913, 1:50).

Benjamin Constant, as briefly mentioned earlier, played a key role in the 1889 republican *coup d'état*. However, there were other positivists who left their mark on the country's history. Among them, it is necessary to highlight Miguel Lemos and Teixeira Mendes who founded, together with Constant, the first Brazilian positivist society in 1876. Their adherence to positivism took place in the 1870s when they were still students. According to Torres, this decade was fundamental in the history of Brazilian positivism:

"From then onwards, the dissemination of Comte's doctrines, indecisive as they were, started to be progressively systematized, having moved from the mathematical to the street milieu. Previously it was applied only in the resolution of mathematical challenges or in the understanding of its problems; it was a philosophy of sciences. Now it had become an entire worldview, applicable to all problems alike" (Torres [1957] 2018, 42).

After participating in the creation of the country's first positivist society, Lemos and Mendes would take a step further, founding the Positivist Church of Brazil in 1881.¹⁹ They were both keen in spreading Comte's theories, founding magazines and newspapers, organizing conferences, all with the purpose of expanding the positivist view on philosophy and history.

Benjamin Constant's role in disseminating Comte's ideas was also important. As Mendes himself had put it, the army was already influenced by positivist ideas by the time

¹⁹ This happened after a trip to Paris in which Miguel Lemos met the positivist philosophers Émile Littré and Pierre Lafitte. The latter, in particular, exerted an important influence on Lemos. The reason is that Lemos, like Mendes, was mainly aware of Comte's philosophical ideas. After coming into contact with Lafitte, however, he became an adherent of the religious doctrines of positivism. This conversion to Comte's religion of humanity led him to found the Positivist Church of Brazil.

Constant joined it as a student. This influence would only grow stronger, transforming the institution into a mostly academic space directed towards disciplines such as mathematics. Moreover, Constant never had much of a military disposition despite joining the army. His true vocation was that of a mathematics professor, which he fulfilled, almost unquestionable, with great quality.²⁰ Hence, it is not difficult to see how Constant embraced positivism. Even so, Lemos and Mendes - which had become apostles of the positivist religion of humanity - considered Constant to be an incomplete positivist - either because he wasn't very aware of the religious part of Comte's doctrine, or because he didn't follow it as Lemos and Mendes did. Still, his influence among the Military School's students was extensive. He was, in fact, one of the main disseminators of Comte's ideas in Brazil.

While the influence of republican ideas over the civil society at large was minor, the same cannot be said about the army. According to Torres, Constant was responsible "to produce, among the cadets, a state of mind favorable to the Republic" (Torres [1957] 2018, 114). Consequently, the military garrison located at Rio de Janeiro, the capital of the Empire, was supportive of the republican regime. Benjamin Constant was truly the "founder of the Republic" - a title given to him by the republican constitution of 1891.²¹ The involvement of Deodoro da Fonseca, on the other hand, without whom the *coup* against the Monarchy would probably never have taken place, was almost an accident:

"It was never supposed that Deodoro might depose the emperor. He was an old soldier from the generation of Caxias and Osório,²² to whom the revolutionary ideas of the *PhDs* of the Military School weren't able to remove the spirit of discipline. That is why he (Deodoro) didn't accept the possibility of proclaiming the Republic. If the viscount of Ouro Preto was against the Army,²³

²⁰ D. Pedro II, himself, invited Constant twice to be mathematic tutor of his daughters.

²¹ Article 8 of the Transitory Provisions of the Constitution of the Republic of the United States of Brazil reads: "The Federal Government will acquire for the Nation the house where Dr. Benjamin Constant Botelho de Magalhães died and will put in it a tombstone in honor of the memory of the great patriot - the founder of the Republic".

²² Luís Alves de Lima e Silva, "Duque de Caxias", and Manuel Luís Osório, "Marquês do Herval" were two of the main members of the Brazilian army and both loyal to the monarchy.

²³ Viscount of Ouro Preto is the title given to Afonso Celso de Assis Figueiredo, President of the Council of Ministers of Brazil from 7 June 1889 to 15 November of that same year, day when the monarchy was overthrown and the republic established in its place.

let the ministry be taken down, but never the emperor. The (pressure exerted by) circumstances and the men (his army colleagues) were the only reasons that forced him to lead the revolution” (Torres [1957] 2018, 114).

Indeed, Deodoro had no interest at first in overthrowing the Monarchy. Instead, he was targeting the ministry. It wouldn't be a novelty if the Viscount of Ouro Preto, then president of the Council of Ministers, were removed from office. During the reign of Pedro II, many cabinets had been dismissed by orders of the Emperor using his Moderating Power. The novelty, this time, consisted in the author of such act. As Marcos Costa explains, this was the first time that the “ministry had been dismissed despite the emperor's will”, but through a military uprising (Costa [2014] 2015, 249):

“Although declaring that he had nothing against the emperor, Deodoro's attitudes in that morning (of November 15, 1889) deeply jeopardized his relation with D. Pedro, specially because it subverted the order of things and subdued the emperor to his will (...) An institutional crisis was, at the very least, initiated” (Costa [2014] 2015, 249).

Additionally, Deodoro was led to believe in some false or deceiving information. The first one of them was that the Emperor had ordered his and Constant's arrest. The second is that D. Pedro had chosen Gaspar Silveira Martins - an old rival of Deodoro - to constitute the new ministry. This last information was not entirely false. Ouro Preto had indeed chosen Martins to replace him, something the Emperor briefly considered doing. D. Pedro changed his mind, but not soon enough to prevent Constant from giving the news to Deodoro, who quickly reacted in taking down the Monarchy and proclaiming the Republic in its place.

It is clear that Constant played a key role in the *coup d'état* that led to the Republic. Besides giving the false information that motivated Deodoro to overthrow the Monarchy, he was driven, like Lemos and Mendes, by an abstract philosophy that claimed to have discovered the scientific progression of history. According to this idea, it was inevitable, so to speak, for the republic to replace the old monarchies of the past. This is the reason why Torres argues that positivism did not motivate the *coup*, but was the ideology behind which

the army's insurrection ended in a republic. It is therefore necessary to analyze the bases of this philosophy that played a decisive role in the history of Brazil.

The Positivist View of History

The most influential theory of historical progress of the modern era was arguably developed by Karl Marx in the first half of the Nineteenth century. Marx's sociological thought was based on the application of the dialectical method to the so-called historical materialism. The result was the interpretation of history through a process of class conflict. In other words, Marx considered the emergence of social classes and the inevitable conflict between them to be the very dynamics that made history progress. In this way, the conflict between the bourgeoisie and the proletariat was only the latest stage of this process that would culminate in the revolution of the working classes. This insurrection, in turn, would result in the seizure of power by the proletariat, the abolition of private property and equality between classes thanks to the collectivization of the means of production. The consequence of this process would be the end of history (or the end of the class conflicts that had generated, until then, the progression of history).

Marx, however, was not the only philosopher to have developed a theory concerning the progression of history. Auguste Comte, for his part, also had a theory of the development of history, albeit substantially different from that of Marx. It is difficult to summarize the ideas of the French philosopher that ranges from theories regarding the development of the human intellect to a religious doctrine called the religion of humanity. Yet, at the heart of Comte's philosophy there seems to be one key idea: that human history is determined by a fundamental sequence of various events - primarily determined by the development of human thought - leading to an end point of harmony and social unity.

Raymond Aron provides a helpful analysis to understand this point, arguing that in Comte's view, "social phenomena are subject to a strict determinism which operates in the form of an inevitable evolution of human societies - an evolution which is itself governed by the progress of the human mind" (Aron [1965] 2019, 1:76). This comment can be broken

down into two points: first, that there is a certain inevitability in the development of societies. Secondly, this development is conditioned by the progress of the human mind, i.e., our intellect. This means that the former would not be possible without the latter. Therefore, the reason why the development of society is inevitable is because the progress of the human mind is, in itself, also inescapable. This is explained by Comte's theories of the three stages of intellectual evolution:

“Seen in its full completeness the fundamental law of the Intellectual Evolution consists in the necessary passage of all human theories through three successive stages: first, the Theological or fictitious, which is provisional; secondly, the Metaphysical or abstract, which is transitional ; and thirdly, the Positive or scientific, which alone is definitive” (Comte [1852] 1875, 2:23).

Comte explains that the first of these stages “consists in referring everything to the human type, and conceiving all phenomena as produced by Wills analogous to our own, and for the most part superior to ours only in a degree proportioned to their effects” (Comte [1853] 1876, 3:24). It is, according to Aron, “a method which claims to discover the underlying causes of phenomena and to locate final causes in transcendent beings” (Aron [1965] 2019, 1:78). That is the opposite of the positive thinking that consists in observation, experimentation and finally the establishment of general laws that govern the relationships between different phenomena.

The Metaphysical thinking, in turn, can be summarized as a stage in which “the mind explains phenomena by invoking abstract entities like ‘nature’” (Aron [1965] 2019, 1:62). This is different from the Theological thinking in which the explanation of different phenomena is ascribed “to being or forces comparable to man himself” (Aron [1965] 2019, 1:62). Moreover, the Metaphysical stage is transitory, meaning that it paves the way for positivism - the final intellectual stage that seeks to understand the world around us in a factual manner. This means that man “cannot be instinctively a positivist”, because “positivist thinking is not spontaneous thinking” (Aron [1965] 2019, 1:87). To discover the laws governing reality requires examination - thorough examination - which, in turn, requires time.

Moreover, because not all sciences are equal, positivism is achieved at different moments in history. The first sciences to reach the positive stage are the objective ones; those, one might say, in which evidence of the veracity or falsity of a given hypothesis is easier to be validated. Such sciences are also characterized for having an inorganic nature, meaning that they can be analyzed as isolated phenomena.²⁴ These sciences are mathematics, astronomy, physics, chemistry. These disciplines were already positive - or partially positive - when politics, philosophy, sociology and ethics were still influenced by society's theological rationale.

Equally important in this theory, is the reason why the disciplines located lastly in Comte's classification of sciences (from the most objective to the least objective ones - or according to his own category, from the simplest sciences to the most complex ones) would eventually become positive like the sciences which come earlier in his ranking. In other words, how to explain that general laws that govern the relationship between sociological phenomena could be discovered, just as they had already been discovered in disciplines such as mathematics and astronomy? The simplest answer is this: the human intellect, which cannot cease to progress, would be forced to explain the most complex sciences by means of a positive rationale, since the less complex sciences in Comte's classification had already been "positively analyzed" from earlier times. Aron explains it as follows:

"Because certain phenomena have been explained scientifically and positively from the very beginning, a halt in the progress of the human mind is difficult to imagine. The contradiction between partial positivism and the fetishist, theological synthesis torments humanity, as it were, and in the last analysis

²⁴ Aron explains this complex reasoning as follows:

"beginning with a certain science - namely, biology - there occurs a decisive reversal in methodology - a reversal which is to provide a foundation for the sociological concept of historical unity. Beginning with biology, the sciences are no longer analytic but necessarily and essentially synthetic".

"These two terms, analytic and synthetic, have many meanings in Comte's terminology, as is evident from the following illustration. For Comte, the sciences of inorganic nature, physics and chemistry, are analytic in the sense that they establish laws among isolated phenomena. The separation of the phenomena or of relations is necessary and justifiable. On the other hand, in biology it is impossible to explain an organ or a function apart from the living creature as a whole. It is within and in relation to the whole organism that a particular biological fact assumes its meaning and finds its explanation. If we were arbitrarily and artificially to cut off a part of a living creature, we would have before us nothing but dead matter. One could say further that the living matter considered as such is an entity, a totality".

"If we transpose the idea of the primacy of entity over element into sociology, we find that it is impossible to understand the state of a particular social phenomenon unless we restore it to its social context. We do not understand the state of religion, or the exact form assumed by the state in a particular society, unless we consider that society as a whole". (Aron [1965] 2019, 1:63-64)

prevents the human mind from stopping at any stage previous to the final one of universal positivism” (Aron [1965] 2019, 1:80).

Comte believed that this process was inevitable, leading humanity to what Aron defined as a “single design of history” determined by “the progress of the human mind” (Aron [1965] 2019, 1:77). At the same time, this means that “the same way of thinking must prevail in all realms of thought”, otherwise that single design would never be achieved (Aron [1965] 2019, 1:77). While this same way of thinking is not achieved, however, there cannot be true unity in any society. “Society is heterogeneous, chaotic, in crisis, when there are opposing ways of thinking, when ruling ideas taken from incompatible philosophies are juxtaposed” (Aron [1965] 2019, 1:78).

So far, it is possible to summarize Comte’s theories as follows: 1) Comte believed that humanity goes through three inevitable stages of intellectual development: theological, metaphysical and positive; 2) some sciences which are less complex, such as mathematics and astronomy, are positively studied earlier in history; 3) the human mind cannot come to a halt. Therefore, the fact that positive thinking is achieved earlier in less complex sciences means that all sciences will inevitably be studied through positive reasoning; 4) society is chaotic as long as there are opposing ways of thinking; 5) thankfully, history is determined by the development of intelligence, which means that the same way of thinking will prevail in all realms of thought and reach all societies, leading humanity to achieve unity and harmony.

Having said that, it is also important to analyze how this intellectual development translates into social, economic, and political relations, given that the three intellectual stages of humanity equally results in three stages of human activity. The theological, metaphysical and positive intelligence, based on fiction, abstraction and demonstration, generated a military state characterized by conquest, followed by a transitional period of defensive wars, until the arrival of the final period of social evolution, marked by labour and industrial activity.

Comte, unlike many modern intellectuals, did not discard history in seeking to glorify the future. He did think that there was an inevitable historical progress, and that the evolution of the human mind was followed by the evolution of other human activities. But this idea did

not imply a rejection of the steps prior to the positivist utopia, mainly because he saw that the future could only be reached step by step. Consequently, in presenting the past, he often argued that each stage of evolution was necessary for the next. A chain of stages that would lead to the positive spirit and the industrial activity, and not these without the previous phases.

Comte summarizes his laws of the development of human intellect in relation to human activities as follows:

“These three consecutive modes of Activity - Conquest, Defence, and Labour, correspond exactly to the three successive states of intelligence - Fiction, Abstraction, and Demonstration. This fundamental correlation gives us also the general explanation of the three natural ages of Humanity. Its long infancy, covering all antiquity, had to be essentially Theological and Military: its adolescence in the middle age was Metaphysical and Feudal : and lastly, its maturity, which only within the last few centuries has become at all distinguishable, is necessarily Positive and Industrial” (Comte [1853] 1876, 3:52).

Positivism, as it was already presented, did not only mold the Brazilian army in mid to late-Nineteenth century, but also came to be one of the main causes of the Republic. Comte himself was a republican, but he explores his political ideas far less than his theories concerning the evolution of the human intellect and the characteristics of human activity in earlier and modern times.²⁵ What should be underlined is that Comte believed that there were social organizations suited to each stage of man’s intellectual development. In this sense, the development of science and industrial activity - progress in itself - hindered all possibilities of restoring the theological spirit and military order of the past, as mankind could not regress.

²⁵ On that, Bourdeau, Pickering & Schmaus write the following: “Having lived through monarchies, republics, and empires, he criticized his contemporaries for focusing excessively on political experimentations, such as parliaments, which he viewed as unproductive. To him, there first had to be an intellectual revolution. It would lead to moral renewal and then a social and political restructuring—one that would lead to the emergence of small republics ruled in a just manner by regenerated industrialists (the temporal power) and positive philosophers or priests of the Religion of Humanity, who would be aided by women and workers” (Bourdeau, Pickering, and Schmaus 2018, 17).

Because Comte viewed the future as part of a historic progression, and not something apart from it, he understood that the theological polity of the past (understood as a religious and monarchical society) had been necessary and beneficial for the earliest development of societies. In modern times, however, “its influence among the most advanced nations has been essentially retrograde, notwithstanding some partial services” (Comte [1853] 2009, 2:5–6). This observation seemed so obvious to him that he cared little in explaining it further, stating only that it is not necessary to discuss this organization’s doctrine “in order to ascertain its powerlessness for future service: for it is plain that a polity that could not hold its ground before the natural progress of intelligence and of society can never again serve as a basis of social order” (Comte [1853] 2009, 2:6).

According to Comte, this early social order was based on a theological philosophy and a military polity that reigned supreme. However, the influence of kings and priests - located at the top of the theological society’s hierarchy - began to wane, giving way to the transition period of the metaphysical order. This began to occur as soon as the kings ceased to be “mere warrior chiefs, and engrossed prerogatives and offices too vast to be wielded by themselves alone” (Comte [1853] 2009, 2:329). This marked the emergence of the ministerial power, invested with political authority by kings who could not handle the vast prerogatives and offices acquired over time. According to Comte, this was but a “confession of weakness on the part of a power which, having engrossed all political functions, is compelled to abdicate the practical direction of them, to the great injury of its own social dignity and independence” (Comte [1853] 2009, 2:329). The clearest and most striking example of this was “the surrender of that military command which was once the primary attribute of sovereignty” (Comte [1853] 2009, 2:329).

Nonetheless, the metaphysical stage was but a transitional period in the history of human development. Its social and political role was limited to breaking up a system that tended to prolong what Comte called the infantile period of society - despite having directed its early growth -, while paving the way for the positive stage of human and social development. This succession of stages was achieved through “Order and Progress” - Comte’s motto that came to stamp the Brazilian republican flag. Comte argued that the ancients believed that these two concepts were irreconcilable and conflicting (order halting

progress and progress creating disorder). The truth, however, is that both were imperative conditions for the modern civilization. The reason is that the inevitable collapse of the old system (monarchical and religious) and the anarchy that resulted from it, would make it necessary to restore order to achieve progress, at the same time that the new scientific mind and the study of sociology would allow the progress of societies and the maintenance of order.²⁶

“The ancients used to suppose Order and Progress to be irreconcilable: but both are indispensable conditions in a state of modern civilization; and their combination is at once the grand difficulty and the main resource of every genuine political system. No real order can be established, and still less can it last, if it is not fully compatible with progress: and no great progress can be accomplished if it does not tend to the consolidation of order” (Comte [1853] 2009, 2:3).

One of the difficulties in understanding Comte’s political ideas is that he does not argue for a specific system of government to be implemented - although he makes it clear that the monarchy based on the theological order is incompatible with the positive society.

Still, some authors have distinguished political systems that matched Comte’s envisioned intellectual development. In this regard, Torres argued that “Comte determined the Republic to be the final stage of the humanity’s political evolution. The monarchies were based on ‘divine law’ and feudalism, things of the ‘theological stage’, with its feudal-warrior civilization” (Torres [1957] 2018, 51). Hence, “If the monarchy was the form of government pertaining to the theological state, the liberal-democratic parliamentarianism characterized the metaphysical state: the positive state, ‘pacific and industrial’ should be republican and ‘technocratic’” (Torres [1957] 2018, 52). This sequence of cultural/social stages in relation to political organizations is further explained by Torres as follows:

²⁶ Again, Bourdeau, Pickering & Schmaus offer an interesting overview on this issue: as Comte saw it, they write, “sociology would provide the intellectual foundation on which to build a new kind of society that would promote the general welfare and restore order in the wake of the collapse of the old monarchical and religious regime. Enlightened industrialists, including manufacturers, merchants, and financiers, would replace kings, aristocrats, lawyers, and the military in policy making and governing” (Bourdeau, Pickering, and Schmaus 2018, 4).

“Comte lived in a transitioning age, when centuries-old systems came crashing down. As the ideas of humanity’s constant progress were usually accepted in his generation, Comte concluded that the types of government, as the cultural types, succeed each other in time according to a causal relation in an evolution” (Torres [1957] 2018, 54).

It is possible to conclude that Comte’s theories were highly abstract - and therefore not necessarily in touch with reality. This is clear in Brazilian history, since the Monarchy was fought by the positivists mostly for theoretical reasons rather than for concrete needs. Torres also addresses this point:

“(…) the Brazilian positivists (…) paid no attention to the remarkable institutions created by the Brazilian imperial regime. Anything that represented a passage to the *pacific-scientific-industrial regime* was a valuable thing. All the rest were hollow remnants of obsolete stages or else the result of crude empiricism” (Torres [1957] 2018, 58).

Although Brazilian positivists opposed the Monarchy for abstract reasons, it must be admitted that many of them did not defend the establishment of the Republic by revolutionary means. Indeed, members of the positivist apostolate like Lemos and Mendes were as surprised as the rest of the population by the 1889 military *coup*. Positivism believed in the relationship between the intellectual development of man and the progress of the social order. Furthermore, the theological regime - monarchical and military - would be replaced by a scientific, industrial and pacific social order. Therefore, the establishment of the Republic by force of arms would be nothing less than a profound contradiction. Members of the apostolate were subversive in the sense that they fought against the Monarchy - Brazil’s legitimate and constitutional system of government - and against Catholicism - the official religion of the State. However, they did not advocate the use of violence, believing that the positivist ideal would come to fruition over time, even if it could be accelerated by propaganda.

Even so, it is possible to see that the apostolate failed in two ways. First, it is hard to deny that the Republic was established through violence. There was no bloodshed, but the royal family was exiled and the regime was changed by force. Second, the fundamental role

played by positivism in the fall of the Monarchy did not mean, however, that it exerted a dominant or even meaningful influence on the subsequent process that consolidated the Republic. In fact, the opposite happened as it was replaced by another political philosophy and system of government. As it will be presented ahead, the first Brazilian republic took the shape of the American political organization that intended to make the country more modern and more democratic.

Positivism in The Early Days of The Republic

The influence of positivism within the Brazilian army may give the impression that the Republic was established and consolidated in accordance with positivist ideals. That was not the case, however. Positivism is much more relevant in Brazilian history for what it destroyed (the Monarchy) than for what it built (the Republic). That is because the participation of positivists in the formation of the new state was indeed minor.

As it was already mentioned, the positivist apostolate, founded by Miguel Lemos and Teixeira Mendes, didn't take part in the army's *coup* against the Monarchy - unlike Benjamin Constant, who influenced Marshall Deodoro da Fonseca in rebelling against D. Pedro II. Torres explains that Lemos and Mendes had abandoned their political activities long before the *coup*. They considered the republicans to be demagogues and revolutionaries. Their relationship with Constant had been interrupted and they were against the idea of changing the regime by force.

This situation didn't take much long to change. As soon as the Republic was proclaimed, Constant was appointed by the interim government to be Minister of War and his relationship with Lemos and Mendes was resumed. Both of them became advisors of Benjamin Constant and Demétrio Ribeiro (the Republic's first Minister of Agriculture who was also an orthodox positivist). The influence of positivists under the new government, nevertheless, was brief. While the Monarchy was easily taken down, the Republic faced several difficulties to be established in the years ahead. There was, after all, a struggle for power between several groups with different conceptions of how the Republic should be

organized. This could be seen within Marshal Deodoro's own interim government, as explained by Fausto:

“Gathered around the old marshal, there were the so-called tarimbeiros, almost all of them veterans of the Paraguayan War. Many of these officers had not attended the Military School and distanced themselves from positivist ideas. They had helped overthrowing the Monarchy to save the Army's honor and lacked an elaborate vision of the Republic other than the idea that the Army should play a greater role than that which it had played during the Empire” (Fausto [1994] 2019, 212).

Marshal Floriano Peixoto, who was Deodoro's vice-president and later president himself of Brazil, however, was followed by a different group:

“Although Floriano was not a positivist and had also participated in the Paraguayan War, the officers that gathered around him had different attributes. They were young people who had attended the Military School and received the influence of positivism. They conceived of their integration in society as that of soldier-citizens, with the task of providing meaning to the direction of the country. The Republic should have order and also progress” (Fausto [1994] 2019, 212).

What brought these groups together was their interest in defending, first and foremost, the army. “Due to the nature of their role and the type of culture developed inside the institution, the officers of the army, positivists or not, positioned themselves as adversaries of liberalism” (Fausto [1994] 2019, 212). To them, the Republic should be established with a strong Executive Power (conceiving even the possibility of going through a period of dictatorship). They were not fond of the idea of giving too much autonomy to the provinces. They were suspicious of the interest of large landowners and farmers from the states of São Paulo and Minas Gerais - two of the main provinces by then alongside Rio Grande do Sul - whose representatives were in favor of a federative Republic that would grant them a higher degree of autonomy. Besides that, the army officers believed that federalism could provoke

the fragmentation of the territory - something that the Monarchy managed to avoid unlike the Spanish colonies in South America.

Diplomatically speaking, there was also a shift from Europe to the rest of America. The Republic was received with enthusiasm in Argentina and used by Brazil to get closer to the United States. In Europe and mainly in England, however, the shift was seen with restrictions. According to Aurelino Leal's accounts, "the truth is that the European Governments did not rush in recognizing the republic, but sought first to be sure of its stability" (Leal [1915] 2002, 219). Rui Barbosa, by then Minister of Finances of the new government, and other proponents of the liberal Republic, quickly moved to ensure the calling of a Constitutional Assembly. According to Fausto, they were fearful of the prolonging of the semi-dictatorship under the rule of Deodoro. Since Europe was suspicious of the new regime, Barbosa argued that "it was necessary to give the country a constitutional form to ensure the recognition of the Republic and obtaining credits abroad" (Fausto [1994] 2019, 214).

Positivists tried in the first months of the Republic to put forward their own conception of government. According to Torres, the most relevant measures implemented by the new government under the influence of Comte's philosophy were the establishment of holidays, the separation of Church and State (during the Empire catholicism was the official religion of the State) and the design of the republican flag, in which the positivist motto *Ordem e Progresso* (Order and Progress) is written to this day.

Moreover, the positivist apostolate published a constitutional project translated as "Bases of a Federative, Dictatorial, Political Constitution for the Brazilian Republic", in which the dictator had the powers to appoint federal authorities in the Executive, Judiciary and Military Institutions according to Item II of Article 16. Furthermore, the positivist charter established that the Legislative Chamber should be assembled for three months each year to vote on nothing more than the following year's expenditures and to review the previous year's expenses (Art. 27). On the other hand, the Federative, Dictatorial, Political Constitution for the Brazilian Republic upheld civil liberties such as freedom of expression (Art. 37, Item IV), freedom of assembly (Art. 37, Item V) and religious freedom (Art. 37, Item VI). It was indeed, as Torres defined, liberalism applied to all areas of life in social

terms, and an authoritarian charter politically speaking. The philosophical basis for it could be none other than Comte's. The Brazilian positivist apostles, believing that the country was transitioning to the positive state, understood that a dictatorship was necessary to ensure that this transition occurred successfully, avoiding the anarchism generated by the dissolution of the previous medieval/theological order.

Lemos' base project for the republican constitution was never taken into consideration, though. The influence of positivists in the new government was minor apart from the design of the new national flag and the separation of Church and State. Despite positivism's influence in the fall of the Monarchy, the liberal voices were the ones that predominated after the establishment of the Republic and, more importantly, in the Constitutional Assembly that would give a definitive shape to the new political regime.

“If the Brazilian positivist apostolate had influence within the interim government, as a result of the acceptance given by some ministers to the opinions of the positivist leaders, there is no doubt that, in an assembly of hundreds of members, coming from the most different origins and opinions, its voice would not be listened to. Therefore, the Constitutional Assembly put an end to the preponderance of the apostolate in Brazilian politics and administration (...)” (Torres [1957] 2018, 102).

The Political Basis of the Republican Constitution

The predominant influence of liberalism in the establishment of Brazil's new political system was due, in large part, to the work of Rui Barbosa, Minister of Finance of Deodoro's interim government. Barbosa was one of the most memorable and important public figures in the country's history. Despite the economic failures during his term in the government, the constitution was one of his greatest legacies (though not only his). As it was already explained, the partisans of the liberal Republic at that time were afraid that the interim government presided by Deodoro could be extended for too long. The establishment of a constitution was seen as the solution to such issue, putting the government under the control

of written rules. In order to achieve this end, according to Fausto, a commission of five was put in charge of drawing a constitutional project which was handed to Barbosa for an extensive review. The constitution was enacted by the Constitutional Assembly in February 1891 after many discussions and some amendments.

The republican constitution was inspired by the American charter, having as its central point a large degree of autonomy granted to the federal states and, thus, differentiating itself from the political centralism existing in the Empire. This constitutional feature was in the interest of larger states such as São Paulo, that could borrow money abroad and tax its products at will. “In this way, they secured an important source of income that enabled the exercise of its autonomy” (Fausto [1994] 2019, 215). That is not to say that the federal government was left without any power. The idea itself of an “ultra-federalism” was opposed not only by the military but even by the representatives of São Paulo.

Moreover, the Constitution of the Republic of the United States of Brazil replaced the four political Powers of the imperial charter with the three traditional branches of government. Thus, the newly established Executive, Legislative and Judiciary Powers were designed to be “harmonic and independent of each other”, according to Article 15. The Moderating Power ceased to exist and Brazil got a president elected for a four year term. The legislative, in turn, maintained the division between the House of Deputies and the Senate, as it was in the Empire, although with one important difference: the senators no longer held a lifetime term.

It should be said, however, that in 1889, before the republican *coup*, the Viscount of Ouro Preto tried to implement some liberal reforms that included precisely the establishment of federalism with greater independence for the provinces and the end of lifetime terms for senators. Some reforms such as these ones make the case that the Republic was not established in order to meet political and social demands ignored by a Monarchy that refused to evolve. On the contrary, the Monarchy was often the country’s greatest promoter of reforms, some of which were against its own interests.

In order to understand the political changes that Brazil went through with the establishment of the Republic, it is important to analyze the new constitution enacted in 1891

and compare it with the previous imperial constitution. In this sense, it is worth pointing out that the new charter was highly influenced by the American Constitution of 1788. Aurelino Leal briefly explains that the American influence was the most noticeable one, “not least because it was up to the United States to exert a profound and decisive influence over Latin America as a whole” (Leal [1915] 2002, 226). At the same time, members of the Constitutional Assembly also added some elements of the Swiss and Argentinean constitutions to Brazil’s own charter.

The comparison between the 1824 and 1891 constitutions shows both similarities and radical differences regarding the different branches of government. Starting with the general layout of the Legislative Power, the most striking difference between the two charters is related not to the Legislative itself, but to the previously existing Monarchy. This is the case because of the central role played by the Monarchy in Brazil’s previous political organization. Therefore, the 1824 Political Constitution of the Empire of Brazil established that the Legislative Power was responsible for taking the oath of the Emperor (Art. 15, Item 1), electing the regent and determining the limits of its authority (Art 15, Item 2), resolving any doubts about the succession of the Crown (Art 15, Item 5), choosing the new dynasty in the event of the extinction of the ruling one (Art 15, Item 7), just to name a few of its duties. For obvious reasons, these roles ceased to exist with the establishment of the Republic. Apart from these items present in the 1824 imperial charter, there wasn’t many significant changes in the general attributions given to the Legislative Power.

If that was the case with regard to the Legislative Power, however, the same cannot be said about the functioning of its two chambers. It is true that the House of Deputies, like the Legislative, was not radically reshaped apart from its obligations towards the Monarchy. The Senate, however, represents a different case, as the lifetime terms of its members ceased to exist in the new constitution. Accordingly, the 1891 Constitution of the United States of Brazil established that senators would be elected in the same manner as the deputies (meaning through direct voting) (Art. 30) for a 9 year term. The previous monarchical influence in the Senate, on the hand, had been far-reaching. The electoral process is the greatest example of it. According to Article 43 of the Political Constitution of the Empire of Brazil, each of the country’s provinces could elect senators from a triple list made by the

Emperor, who, in turn, had to choose those who had the knowledge, the competence and virtues, preferably those who had provided services to the homeland (Art. 45, Item 3). Besides that, the princes of the Royal House were also rightfully members of the Senate after their 25th birthday (Article 46).

It is also possible to point out other differences in the electoral process of the two regimes. Article 90 of the Constitution of the Empire stated that deputies and senators alike were indirectly elected both to the country's General Assembly and the Provincial General Council. This meant that citizens able to vote would elect the provincial constituents who, in turn, elected the province's and country's representatives. The argument that the Republic would make Brazil more democratic can be given some credit if one looks at this constitutional article on its own. However, as already stated, the Monarchy was highly inclined to promote changes. Therefore, the Emperor called a new cabinet in 1880 with the task of reforming the country's electoral system in what came to be known as the "Lei Saraiva"²⁷ that introduced direct voting in the following year. The Republic, on the other hand, adopted direct voting from the start, both in elections for the House of Deputies, Senate and the Presidency, according to Articles 28, 30 and 47 of the 1891 Constitution of the Republic of the United States of Brazil.

The establishment of the Executive and the Moderating Power, in turn, represents the greatest change in Brazil's political organization. To begin with, the Emperor didn't held the Moderating Power alone according to the 1824 Constitution of the Empire, but was also the "head of the Executive Power" which he exercised "through his ministers of State" (Art. 102). It was not a parliamentary system properly speaking, because the ministers were appointed and dismissed by the Emperor in the use of his Moderating Power (Art. 101, Item 6), and not by the party holding the majority of seats. A parliamentary form of government began taking shape only after 1847, and even then with unique characteristics. In that year, the position of President of the Council of Ministers was created. The President of the Council was still appointed by the Emperor, but free to choose the other ministers in his cabinet. With the Republic, the country adopted a system similar to the one existing in the United States, having a president elected as Chief of the Executive Power (Art. 41 of the

²⁷ The name was a reference to José Antônio Saraiva, President of the Council of Ministers from 1880 to 1882.

Republican Constitution) and a vice president that could replace him on certain occasions. The office was to be held for a four-year term without, however, the possibility of reelection (Art 43). The difference between the two systems is further extended as a result of the voting system. The 1891 Constitution established that both the president and the vice president would be elected by “direct suffrage of the Nation” and the “majority of votes” (Art 47), in stark contrast to the system established in 1824 in which the Emperor was not only the Head of the Executive Power, but also “inviolable and sacred” (Art. 99 of the Constitution of the Empire).

In constitutional terms alone it is difficult to state the level of rupture caused by the Republic. There is no doubt that the elimination of the Moderating Power and the changes implemented on the Executive branch were major. Indeed, these changes alone provoked a fundamental turnaround in the country’s political order. Regarding the other institutions there are further important modifications, namely in the Senate. The House of Deputies remained mostly the same in constitutional terms, and as for the voting system, the changes could have been major in the absence of the 1881 electoral reform that allowed direct elections to be held. Finally, liberalism itself can be pointed out as a similarity between the country’s first two constitutions. While the political organization envisioned by the French Benjamin Constant (and widely implemented in 1824) was different from the constitutional design adopted by the United States and later applied to Brazil, they were, nonetheless, liberal systems of government.

The overthrow of the Monarchy and the Proclamation of the Republic included significant changes in the country’s power allocation. One of the main issues in debate during the republican Constitutional Assembly - and which greatly determined the country’s political life at the end of the Nineteenth century and the beginning of the following - was the adoption of federalism. This alone also represented a major twist from the centralism that existed during the Empire. Hence, when Brazil’s political regime changed, the country didn’t only become a Republic but a “Federative Republic”, as stated in Article 1 of the 1891 Constitution of the Republic. Its states (no longer provinces) gained a degree of autonomy that didn’t exist during the Empire with prerogatives such as the possibility of deciding whether or not to merge with another state or to partition into more than one territory (Art 4).

States were also responsible for providing for their administrative needs with their own resources (Art 5), given that they had the exclusive right to create taxes over the goods exported by them (Art 9, Item 1), over property (Art 9, Item 2), over transfer of property (Art 9, Item 3) and on industries and professions (Art 9, Item 4).

This issue became so relevant in the early days of the Republic that José Antônio Saraiva, by then senator of the Constitutional Assembly, argued that the debates over the issue would generate two main parties in this new stage of Brazilian political life: the federalist and the unionist parties. That would be the case given the importance of the matter. Yet, even if federalism may have seemed like a good idea - specially when observing the political experience of the United States, in which federalism ensured the autonomy of local institutions while allowing civic life to thrive -, the situation in Brazil was rather different. Aurelino Leal, himself a republican, referred with irony to Saraiva's predictions about the two future parties in Brazil: "Parties in Brazil! Parties in a country where public opinion is still a myth! Parties in a republic with a formidable majority of illiterate people, and where the conscience of civic spirit still finds itself in embryonic stage" (Leal [1915] 2002, 238).

Leal had a point. The first Brazilian Republic seemed to be following every step of the best political practices: it quickly presented a constitution under the liberal doctrines of its time. Moreover, the constitution enhanced the possibility of political participation with the establishment of direct voting. In addition to instituting the same three governmental branches that had been successful in the United States, local governments gained a level of autonomy that they never had under the Empire. Finally, the country was no longer bound to a monarchy that acted as an institution above all the other ones. Yet, the practical results of the new political regime can hardly be considered successful. As Boris Fausto explains, voter turnout fluctuated between a mere 1% to 6% approximately until 1930, mostly because voting was not mandatory and party alliances often meant that the population had no practical alternatives to choose from. Moreover, voting was not secret, which meant that the electors were subject to political pressure.

Hence, the period known as the First Republic (from 1889 to 1930) was for the most part quickly dominated by local oligarchies - mainly from the states of São Paulo and Minas Gerais, but also from Rio Grande do Sul - which came to agreements to appoint presidential

candidates. These oligarchies already existed during the Empire, but their influence was balanced by the Emperor invested with the Moderating Power. According to Torres, “If the Empire was the government of the provinces by the nation, the Republic would be the government of the nation by the provinces”. As such, the country came to possess “the absolute solidity of the state parties, without contrast or opposition, dominating the political sphere for almost half a century, leading to the emergence of true oligarchies” (Torres [1964] 2017, 573).

On the other hand, the Empire’s parliamentarianism was often criticized for its lack of authenticity. Indeed, as it was already explained, the power given to the Emperor to appoint the President of the Council of Ministers did not provide parliament with the degree of independence that existed in England, for instance. Still, making reference to the ideas of Brás Florentino, Torres shares the understanding that such a form of parliamentarianism is precisely what prevented the country from being controlled by the existing oligarchies: “A radical form of parliamentarianism would hand over power to cronies and to the oligarchies (...) The Moderating Power, periodically flipping the political positions, sought to destroy the oligarchies so that the people could rule” (Torres [1964] 2017, 179).²⁸

Perhaps it is an overstatement to say “so that the people could rule” in times of feeble civic spirit. Still, the Moderating Power was often used during the Empire to tackle the country’s political shortcomings and to avoid the concentration of power into the hands of a few groups of interest. The Republic, on the other hand, had been established according to the best liberal principles and was characterized, according to Torres, by a devotion to the constitution and every written law. It would be hard to say that the transition from the Monarchy to the Republic was anything close to revolutionary if modifications in the voting system and in the country’s legislative institutions were the only elements analyzed. Yet, the establishment of federalism, the elimination of the Moderating Power and the changes in the Executive Branch which was so significantly linked to the Crown represented a dramatic transformation in the country’s political organization. This meant the abandonment of

²⁸ During D. Pedro II’s approximately 50 years reign, 36 cabinets were formed, sometimes controlled by the liberal party, other times by the conservatives. That’s an average of one year and half of duration for each one of them. Even though power was constantly shifting between two parties (which, according to some historians, shared more similarities than differences), the Emperor’s attitudes served as an obstacle to the stability of the country’s political factions and as a check on the oligarchies that came to prosper after 1889.

political forces that were able to guide a country whose society was still in formation to adopt, in its place, abstract norms that had never before been applied in Brazil. Consequently, the Republic inherited many of the problems that existed during the time of the Monarchy, while eliminating precisely the element that provided unity to the nation, moderated its political life and put forward many needed reforms.

Historical Spontaneity and Ideological Principles in the Constitution of States

As important as it may be to study institutional changes in a country, they do not always constitute fundamental changes. The whole point in looking at the independence of Brazil and the consolidation of its first constitution, is precisely to offer a basis of comparison without which the establishment of the Republic around 70 years later simply seems lost in time and space. There is no way of truly comprehending the dimension of any change if what existed before is not taken into consideration.

In order to understand the historical meaning of the political change that took place at the end of the Nineteenth century, there are two further points worth observing: First, it is important to note that the political thinking of the republicans was mainly based on abstract ideas. Positivism's theories on the historical development of the intellect and society is an example of it. Thus, members of the positivist apostolate and the generation of republican army officers and cadets fought the Monarchy out of conjectures and not because of a real need for regime change. As presented, however, positivism had little influence in the establishment of the country's new political organization, despite having played a critical role in the process that led to the Proclamation of the Republic. Therefore, the First Brazilian Republic adopted the prevailing ideological bases of the American liberalism in place of the positivist republican dictatorship.

These abstract ideas, however, were not unique to positivists. Oliveira Vianna explains that the republican thinking had not yet reached its full maturity by the time that the old regime was taken down. Republicans, according to him, had always played the role of opposition to the Monarchy without, however, having a clear notion of what to put in its

place. Therefore, until the Empire was taken down, these men had always been content “with a vague program based on vague aspirations and formulated in vague sentences: the ‘immortal principles’, the ‘regime of opinion’, the ‘sovereignty of the people’, the ‘federative organization’, the ‘principles of liberty’, ‘democracy’, the ‘republic’, etc” (Vianna, n.d., 24). Moreover, the republican thinking was based on the notion that these abstract principles, when codified, immediately translated into reality:

“The most distinct feature of this mentality was the belief in the power of written norms. For these dreamers, to print an idea was, in itself, the same as to make it real. To write a Constitution on paper was equivalent to make it a living and active thing: words had the magical power of making real the ideas that they represented” (Vianna, n.d., 25).

The second point worth noting are some examples of countries that constituted themselves spontaneously and those that followed an ideology based on the belief that a new political order could be implemented purely through human rationality. To this end, Galvão de Sousa distinguishes three different national experiences: that of England, with its tradition of uncodified constitution; that of the United States, inaugurating the modern era of written constitutions and, finally, that of France, which followed the American experience of codifying its law without, however, preserving its own political traditions. The historical development of those countries has resulted in two different categories of political constitutions: “one is gradually shaped, without a preconceived plan, under the impulse of social stimulus or popular aspirations; the other is created at jet speed, product of an ideology, coming out from the mind of the legislator like Minerva from the head of Jupiter” (Sousa, n.d., 9).

England and the United States can be said to belong to the first category, even though the American constitution is itself a byproduct of the ideology of its time. On this, Galvão de Sousa writes that “The American constitution, although exhibiting the influence of ideological principles disseminated at that time, was rooted in the ancient colonization charters and emerged as the result of a historical process leading to federalism”. This can be observed by the fact that the independence process was not followed by an attempt to completely redesign the new country’s political organization. Rather, what followed was

mostly the preservation of the same local autonomy that had been the cornerstone of much of the English colonization two centuries earlier. Tocqueville offers an interesting insight on this topic, explaining that in spite of the existing differences between each of the English colonies in America, they tended to a degree of self-government missing in Europe:

“The political existence of the majority of the nations of Europe commenced in the superior ranks of society and was gradually and imperfectly communicated to the different members of the social body. In American, on the contrary, it may be said that the township was organized before the county, the county before the state, the state before the union” (Tocqueville [1835] 1994, 40).

As a result of this pre-independence American political structure, it is possible to argue that the republic was, in many ways, the natural condition of the United States. This idea is substantiated by Tocqueville’s accounts that the republic “was already established in every township” even when “the colonies still recognized the supremacy of the mother country” and the “monarchy was still the law of the state” (Tocqueville [1835] 1994, 40).²⁹

The French republican organization, on the other hand, had been the result of an “abstractionist ideology divorced from history” (Sousa, n.d., 9). Unlike the English and American political constitutions, the French constitutions represented “a rupture with the historical continuity of the law. They made a clean sheet of the national past and were designed for the abstract Citizen, not for the concrete men living in France and inserted in a social organization ignored by the legislator” (Sousa, n.d., 10). The consequence of such actions, according to de Sousa, is that “France and numerous other countries that followed its example have seen constitutional reforms and political crisis alternate frequently, the latter often being the cause of the former and vice versa” (Sousa, n.d., 9).

...

²⁹ There is an interesting remark by Friedrich von Gentz as to why some English colonies in America had this level of political autonomy and self-government from its earliest days. Unlike other European colonization processes, in which the metropole played an active role in developing and organizing the colony, the English colonization largely resulted from settlers fleeing from their mother country: “The English colonies in North-America, far from being a designed regular institution of European wisdom, calculated for futurity, had been much more the pure production of European short-sightedness and injustice. Political and religious intolerance, political and religious convulsions, had driven the first settlers from their country: the single favour indulged them was to leave them to themselves” (Gentz [1800] 2010, 11).

How does it all translate to Brazil? As it was shown during this research, Brazil's constitutional framework of 1824 was based on the ideas of the French philosopher Benjamin Constant. Despite the distinctness of his theories built around five Powers (the Executive, the Legislative and the Judiciary, to which he added the Power of Continuity and the Moderating Power), it was, nonetheless, a liberal approach to the constitution of the State. As such, his constitutional philosophy intended to create a rules-based system with division of powers capable of diluting the political authority and restraining the abuses of power. Moreover, this constitutional framework was universal, meaning that it could be successfully implemented anywhere albeit historical differences. At the same time, however, Constant also managed to respect the same history which the French Revolution had rejected, despite the strong level of abstractionism present in his philosophy. That is the case because he provided a rational theory that justified the existence of the monarchical element abandoned by enlightened Europe. In this way, it is possible to consider that Constant's philosophy combined liberalism with European political tradition.

For Brazil, this rationale and constitutional design was of great value. Through it, D. Pedro I accomplished his liberal aspirations while allowing the country to preserve the monarchy inherited from Portugal at the center of its political organization. Although Brazil's political system was significantly different from the American one, both countries had based their first constitutions on liberalism without rejecting the political and social organization that had been fostered throughout history. For the United States, that meant establishing the Republic; for Brazil, the Empire. The reason is that Brazil's development wasn't so much an organic process, but rather the result of the direct involvement of the Portuguese Crown in the affairs of its colony. The very seed of the independence had been planted by the monarchy at the beginning of the Nineteenth century with the transfer of the courts to Brazil, the opening of the ports and the country's elevation to the rank of a kingdom together with Portugal and the Algarves.

Idealistically, one could argue that the American model has more qualities and should be pursued. Yet, a thoroughly democratic organization needs to be gradually fostered by civil society. It is contradictory to argue that self-government can be established from above instead of being developed from below. Hence, the law alone would hardly be enough to give

Brazil the same democratic procedures that had long been grown in the United States. This was the aspiration of the liberal republicans with their vague political principles that Oliveira Vianna talks about. The result of this process is clear: in establishing an American-based federalism without the guiding hand of the Crown, Brazil came to be ruled by oligarchies and not truly by the people.

If the Monarchy in Brazil had been the consequence of ideological liberalism combined with the country's previous political tradition, the same would not be the case with the Republic. By the end of the century, Brazil constituted its new political system based mainly on the American constitution and its liberal principles, without, however, having a previous social organization that could sustain the new regime as had been the case in the United States. The American constitution was the result of both reason and experience, meaning that it originated from the rational mind of the legislator and from the social and political experience that existed in the country before its independence. In constituting the Republic, Brazil neglected its own experience, relying on reason only. The country aimed at the American political model while overlooking the entire historical process that allowed it to be successfully implemented in the United States. Consequently, in establishing a new constitution lacking the monarchical element and unsuitable to its social organization, Brazil actually came closer to having that same constitution divorced from history that characterized the French Revolution according to de Sousa. The result of this process was summed up as follows:

“As such, the Empire was among us, for a long time and despite its mistakes, a force of tradition and continuity. The republican propaganda cried out that Brazil could not be an exception in America. A throne on this democratic continent seemed inappropriate. Therefore, from 1889 onwards, we left the imperial order, which was the exception, to get into the permanent republican crises, that is, into the same problematics of the neighboring peoples and brothers” (Sousa 1962, 128).

Social and political organizations are not immutable and history is hardly pre-determined. It is possible to think that over time and through a natural process of social change, Brazil could have become more republican and federalist as the scope of democratic

participation increased by the hands of the Monarchy itself. By establishing the Republic through political means, however, Brazil discarded all the previous political experience that had been gradually developed until the formation of the Constitutional Monarchy at the beginning of the century. With the removal of that which was distinctly Portuguese to replace it for a political organization that had never been part of the country's tradition, the Republic was, in fact, a change of character for Brazil. This provides reasonable grounds to consider the Proclamation of the Republic in 1889 and its consolidation two years later, a revolution.

Conclusion

The Brazilian Proclamation of the Republic in 1889 was a *coup d'état* carried out by the army. While this description is correct, it only considers the means by which the Republic was established without taking into account its profound historical meaning. Due to this conceptual issue, this research sought to observe this moment in Brazilian history from a different perspective. This meant investigating not only the changes the country went through after the *coup*, but also understanding what was lost with the rejection of the previous regime. Revolutions have often been considered political phenomena that erase enduring political organizations in an attempt to engender an entirely new order. There are good grounds to believe that something similar happened in Brazil in 1889. Therefore, this project aimed to analyze whether or not the Proclamation of the Republic could be considered a revolution.

In order to achieve this goal, the research was divided into two parts. In the first chapter, the establishment of Brazil's first political system after the independence in 1822 was analyzed. The reason for this is that every change can only be comprehended in comparison to what existed before. After addressing this topic, the second chapter looked into the Proclamation of the Republic and the political organization that resulted from it.

The greatest difficulty in conducting this research was approaching topics belonging to different areas of study and making the connection between them. At the same time, it would be much more challenging to reach a conclusion on the subject of this project if the study was not as comprehensive as possible. In this way, this project involved a historical, philosophical and constitutional research.

At the start of chapter 1, it was shown that Brazil was the result of a Portuguese endeavour to colonize and develop its new territory. The link between the two countries reached its apogee in the beginning of the Nineteenth century, when the Crown moved to Brazil and subsequently promoted it into part of the United Kingdom of Portugal - a decision that gave Brazil the characteristics of a sovereign nation. Independence soon followed in 1822, declared by none other than D. Pedro I, heir to the Portuguese Throne. In this sense, the establishment of the constitutional monarchy in 1824 was the result of a process characterized by continuity rather than rupture.

Following this historical analysis, some of the debates held in the 1823 Constitutional Assembly were also presented. As it was shown, D. Pedro I and some members of the Assembly favored the establishment of a monarchy restrained by the constitution, and yet strong and with centralized powers. In opposition, a group of radical liberals defended a decentralized monarchy, arguing that the Emperor should play a lesser role in the country's politics. This group can be considered radical not because of what they proposed in abstract, but rather due to their position in an unequivocally monarchical nation.

However, as it was seen, the Assembly was dissolved by D. Pedro in the same year it was convened and a State Council was set in its place. The result was the Imperial Constitution, accepted by the country's city councils and signed by the Emperor in 1824. Thus, the philosophical ideas on which it was based were also presented at the end of chapter 1, showing that Brazil came to have the Moderating Power at the center of its political system following the constitutional theories of the French philosopher Benjamin Constant. Ergo, it was possible to conclude chapter 1 understanding that the independence from Portugal was not accompanied by an internal political rupture. Constant's theories provided rational grounds for preserving and legitimizing the existence of a crown within a liberal and modern constitutional framework. This was the case in Imperial Brazil, that continued its monarchical political trajectory rather than dismantling it in the name of abstract ideas.

Chapter 2 of this project presented a different and contrasting situation. The first point analyzed were some of the reasons why the Republic was established after decades of political stability promoted by the Crown. Accordingly, it was shown that the Monarchy lost the support of the farmers after the prohibition of slavery in 1888, leaving itself vulnerable to the *coup* that took place the following year. However, the farmers didn't take part in the *coup* itself, which was mostly a military and ideological issue. Therefore, it was possible to point out two main reasons why the Monarchy was overthrown by the army. First, a growing insubordination against the political class since the end of the Paraguayan War had led the army to increasingly act as an oligarchic group against the government. Second, education at the Military School located in Rio de Janeiro had produced a new generation of young - and positivist - officers, far more inclined to political debates and republican ideas than to

military activities. The conclusion is that positivism was the true reason why the army's revolt didn't result in a mere cabinet change, but in a regime change.

Therefore, much of the second chapter was used to review Auguste Comte's philosophical theories. In short, it was shown that positivism explained the development of the human intellect as the main driver of historical progress. This meant that as the intellect evolved, so did societies. Consequently, whereas the past had been monarchical and theological, the future would be industrial, scientific and, as many Brazilian positivists believed, republican. Through this reasoning, positivism played a key role in the Proclamation of the Republic.

The influence of positivism, however, became minor during Marshal Deodoro da Fonseca's interim government and in the debates of the 1890 Constitutional Assembly. In the end, the Constitution of the Republic of the United States of Brazil was heavily influenced by the American constitution, thus replacing the Monarchy under the Moderating Power with presidentialism combined with a high degree of federalism. As it was shown, the constitutional analysis alone indicated that the country was becoming more democratic as it abandoned unelected or indirectly elected officials. In practice, however, we have seen that Brazil's First Republic was mostly controlled by local oligarchies and not truly by popular will.

Throughout this research, it was argued that the country's monarchical tradition had been preserved by the 1824 Constitution despite its liberal nature. The Republic, on the contrary, constituted a new political organization in many respects detached from the country's previous political experience. Oliveira Vianna's arguments exposed at the end of chapter 2 have shown that the republicans had a deep belief on the power of written norms, assuming that to put something on a paper was equivalent to making it reality. This would make possible to successfully apply a foreign political system into Brazil's own social and political context.

Given this belief, however, it became necessary to compare two processes of constituting a political organization. Therefore, it was argued that the American constitution, on which Brazil's own republican charter was based, had not been the byproduct of the

legislator's reason alone, but of a previous political experience resulting from a natural historical development. Brazil neglected this reality and came to have a republican and federalist constitution without the support of a previous experience of local autonomy and self-governance, as had been the case in the United States.

The conclusion is that the Proclamation of the Republic in 1889 can be considered a revolution. The historical, political and philosophical research has shown that the republican *coup* was more than a regime change, but a rupture with a long historical tradition based on the monarchical rule. Analyzing the establishment of the 1824 Constitution and the process that led to it was key to reach this conclusion. It was observed that the Empire was established under Benjamin Constant's ideological liberalism. Yet, his abstract theory was specially suited to Brazil as it provided rational principles for the existence of a crown within a liberal and modern political organization. Moreover, part of the Brazilian legislators, including D. Pedro I, warned against the dangers of having a "metaphysical" and entirely theoretical constitution. In this way and despite the independence from Portugal, Brazil did not abandon the royal element that had always been part of its political trajectory. Rather, the Monarchy was consolidated and, with it, the country's historical continuity was preserved.

The opposite happened with the Proclamation of the Republic. This research showed that the republican aspirations, since before the *coup*, had been based mostly on abstract principles. This was clearly seen with regard to positivism and the American-inspired liberalism that served as the basis of Brazil's republican constitution. As presented, however, the United States had a prior historical experience that supported the existence of federalism and self-government. This same previous experience, in turn, had not yet been fostered within Brazilian political and social structures, resulting in the fact that the Republican Constitution of 1891 attempted to promote from above what in America had been developed from below.

The result is that the Republic wasn't capable of transforming the nation from the ground up. Low levels of turnout, for instance, show that somethings remained unchanged. After all, as it was previously argued, reality imposes itself on written norms more than the opposite. Thereupon, the self-government ideal became an abstraction as the political sphere was controlled by local oligarchies. Nevertheless, the political trajectory of Brazil suffered a major change once the Republic was proclaimed. Taking down the Monarchy so swiftly

deprived Brazil from its unifying element. Having a crown at the top of the political organization had not only been important for ensuring national unity at the beginning of the century. In addition, the Monarchy had kept the country's history alive, bringing past and present together.

This project began by arguing that revolutions are complex phenomena. This means that defining any political event as revolutionary depends on a multitude of analyzed elements. Therefore, this project's main topic would benefit from an even more comprehensive research. Nonetheless, it is also possible to say that the comparative study between the formation of the Empire and the Republic provided interesting insights. The combined analysis of certain historical events, philosophical ideas and the political design of Brazil's first two political systems, made it possible to understand how the Republic discontinued a historical trajectory that had been preserved with the Empire. Given the relation between revolutions and political ruptures, this final analysis is what allowed to conclude that Brazil had its own revolution in 1889.

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