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A new law giving security forces immunity from prosecution does not bode well for Brazil's democracy

by Raphael Tsavkko Garcia / Al Jazeera

Brazil's far-right President Jair Bolsonaro, who was elected last year on a ticket to reduce crime, end corruption and strengthen the economy through conservative policies, has long been accused of posing a serious threat to human rights and rule of law in the country.

Indeed, since taking office in January this year, the former army officer repeatedly pursued anti-democratic policies, expressed dictatorial desires and attempted to stifle dissent through intimidation. His government incited its supporters to pressure the judiciary to issue verdicts in accordance with its wishes and attempted to silence media organisations and universities critical of its policies.

The president also waged a war on environmentalists under the pretext of development and put Brazil's indigenous communities at risk by threatening their livelihoods and condoning the attacks against them. Late last month, a group of Brazilian lawyers and former ministers requested that the International

Criminal Court (ICC) investigate Bolsonaro, claiming he incites his followers to commit genocide against indigenous people.

Bolsonaro's most significant attack on the rule of law and human rights in Brazil, however, came on November 21 in the form of a bill aimed at expanding protections for soldiers and police officers who kill while on Guarantee of Law and Order (GLO) missions.

As stated in Brazil's federal constitution, GLOs are special operations authorised directly by the president and carried out by the armed forces to guarantee public security and order during exceptional situations where regular police forces are unable to provide security.

Bolsonaro's bill proposes to reduce sentences or even provide full immunity to officers and soldiers who take someone's life when facing "unfair, current or imminent aggression" to themselves or others during GLO missions.

In other words, using a vague and distorted definition of "self-defence", Bolsonaro's proposed bill offers to provide military personnel with a carte blanche to kill, while severely restricting ordinary citizens' right to hold state agents accountable. If this proposal becomes law - there is still no date set for voting in Congress and leaders of various parties will have to be convinced to approve the measure - during a GLO mission, the military can use deadly force whenever they "believe" they are facing a "threat", meaning they can fire on unarmed protesters for building a road barricade, occupying a public building or simply standing their ground.

The bill also gives military personnel the right to kill anyone carrying a firearm, which is ironic given that only a few months ago Bolsonaro himself suggested arming the civilian population to prevent coups.

Bolsonaro's draconian proposal to provide impunity to military personnel killing in his name comes on the back of a wave of unrest that engulfed South America in recent months that many believe could spread to Brazil following the release of leftist ex-president Luiz Inacio Lula da Silva from prison.

The president already admitted to the press that the main goal of the proposed legislation is to prevent demonstrations that resemble the one that recently rocked Chile, adding that he views the protests there as an act of terror.

Providing further proof that the Bolsonaro administration is prepared to prevent anti-government protests using state-sanctioned violence, his economy minister, Paulo Guedes, suggested during a press conference on November 25 that the government could issue "a new AI5" to stifle unrest. The AI5 (Institutional Act Number Five) which was instituted by Brazil's military dictatorship in 1968, allowed for the closing down of the Congress and the suspension of constitutional rights guarantees, which eventually resulted in the institutionalisation of censorship and torture.

After Guedes' toying with the idea of shutting down democratic institutions caused anger among human rights defenders across Brazil, the president himself caused further controversy by announcing that he is working on plans to allow for GLO operations to be carried out in rural areas without the request of the relevant local authority. Currently, GLO operations can only be authorised in rural areas following a request by the state government.

Claiming state governments are proving "reluctant" to resolve land disputes and act on land occupations, Bolsonaro said he would like to pass legislation that would allow him to bypass local authorities and authorise military operations to resolve these issues. This could not only lead to massacres but also seriously hinder states' ability to govern themselves and consolidate the president's power.

While Bolsonaro and his populist supporters are clearly hell-bent on destroying Brazil's fledgling democracy and returning the country to the dark days of the military dictatorship, it is important to

recognise the role past administrations, both right and left wing, played in paving the way for the current president's authoritarian drive.

The GLOs were originally legislated by centre-right President Fernando Henrique Cardoso in 1999. Then in 2004, President Lula Da Silva created the National Public Security Force composed of members of the Brazilian Military Police of the various states of Brazil, which Bolsonaro has now included in his bill as one of the security forces - alongside the armed forces, firefighters and the military, civil, road and federal police - that can be mobilised to conduct GLO operations. As a response to the demonstrations in 2013, centre-left President Dilma Rousseff put together the Anti-Terrorism Law, which serves as a basis for the Bolsonaro project, as it provides the justifications for the use of violence during GLO operations.

At first glance, what we are currently witnessing in Brazil appears to be a clear case of an authoritarian leader acting in panic in the face of the growing possibility of a public revolt. After all, it makes sense that Bolsonaro wants to stifle unrest before it reaches the levels seen elsewhere in Latin America, like Chile.

But on closer inspection, Bolsonaro's attempts to provide legal cover for state-sanctioned violence and plans for expanding the reach of GLO operations point to a much more disturbing reality: The Brazilian president is preparing the ground to transform Brazil into a fully-fledged fascist state where all opposing voices are branded "enemies of the state", military forces that answer only to him have a licence to kill across the country, and state governments are powerless to stop the violence.

Bolsonaro spent his long political career singing praise to dictators like Chile's Augusto Pinochet and Paraguay's Alfredo Stroessner. He also repeatedly defended the "legacy" of Brazil's own military dictatorship. So, it is no surprise that at the end of his first year in office, he is laying the foundations for his own dictatorship.

Developments of the past few weeks indicate that Bolsonaro is not dreading, but actually looking forward to the social unrest brewing in Brazil right now. He wants Brazilians to revolt, so he can crush them and justify Brazil's move towards authoritarianism.

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