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# Once Upon a Time, a Human Rights Ally: The State and its Bureaucracy in Right-Wing Populist Brazil

*Michelle Morais de Sá e Silva*

### ABSTRACT

Based on the case of Brazil, this article looks deep into the state apparatus and analyzes the organic relationship between state commitments to human rights and the work of bureaucrats who are motivated by human rights values and ideas. Brazil had a consolidated history of engagement with the international human rights regime until Jair Bolsonaro was elected President. That history was marked by a foreign policy that was active in international human rights norm-making, as well as by domestic institutions and policies that sought to promote rights at home. An engaged state made room for the work of human rights bureaucrats in the federal government, including diplomats, officials at the Ministry of Human Rights, and beyond. Since the election of Bolsonaro, however, the Brazilian state has reversed and revised its foreign and domestic policies. As a result, bureaucrats who were dedicated to human rights work are now faced with persecution, having to oblige to the new foreign policy in the case of diplomats, or having to find somewhere else to work or something else to do, in the case of non-diplomats.

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## I. INTRODUCTION

Mistrust and suspicion vis-à-vis the state and what it does and does not do for citizens have contributed to creating narratives that impede the understanding of what happens within the state apparatus, particularly with regards to human rights work. For some, the state is not to be trusted because it dictates regulations and taxes that limit free enterprise. For others, the state reproduces structures of power and domination and has violated the very human rights it was supposed to protect and promote. As the state is viewed as the perpetrator of human rights violations, especially in parts of the world that are stereotyped as places deprived of democracy and freedom, little attention has been given to the role of those who work for the state. When some attention has been given to them, it is mostly to identify the agency behind cruel and oppressive actions. The controversial term ‘deep state,’ for instance, has been traced back to the work of Elif Babul and her research about atrocities committed in Turkey by a form of shadow state that implicated the bureaucracy.<sup>1</sup>

However, what if within the state apparatus one were to find human rights advocates? What if the *deep state* were composed of civil servants who uphold the ideas and values of human rights and who struggle to promote those within the state machinery? From Donald Trump<sup>2</sup> to Edward Snowden,<sup>3</sup> the so-called deep state has been presented as undemocratic and anti-citizens’ interests. Against that background, this article will unveil the invisible work of civil servants who are human rights advocates within the state apparatus. In doing so, it aims to explore the validity of adopting the construct and category of “human rights bureaucrats” in human rights research.

Furthermore, the article will look into the impact that populist right-wing governments have on human rights bureaucrats. In theory, a state that is permeated by human rights bureaucrats would maintain the momentum for human rights work. However, that has not been the case in Brazil since the election of President Jair Bolsonaro. As Brazil embarks on a populist right-wing federal government, one that was elected on a platform against human rights, this article also addresses the challenges and potential persecution faced by those advocates, as well as the consequences that their marginalization within the state machinery may bring to Brazil’s engagement with human rights norms and international human rights organizations.

1. ELIF M.BABÜL, *BUREAUCRATIC INTIMACIES: TRANSLATING HUMAN RIGHTS IN TURKEY* (2017).
2. Alana Abramson, *President Trump’s Allies Keep Talking About the “Deep State” What’s That?*, TIME, (8 Mar. 2017), <http://time.com/4692178/donald-trump-deep-state-breitbart-barack-obama/>.
3. Stefania Maurizi, *Edward Snowden: “Poisoning People Who Are Long Out of Their Service Is Contemptible,”* LA REPUBBLICA (19 Mar. 2017), [https://www.repubblica.it/esteri/2018/03/19/news/snowden\\_how\\_the\\_deep\\_state\\_shapes\\_presidents\\_-191619170/](https://www.repubblica.it/esteri/2018/03/19/news/snowden_how_the_deep_state_shapes_presidents_-191619170/).

To better understand Brazil's reversal in human rights work, the article will argue for the need to differentiate between the reality of diplomats and non-diplomats. In line with what mainstream international relations theory would predict, diplomats are subject to a different set of constraints. However, the nature of those constraints is not related to international politics and the balance of power dynamics. Rather, diplomats are subject to a career structure that makes it significantly harder for them to remain true to their individual human rights values.

## II. THE LITERATURE ON THE STATE AND HUMAN RIGHTS

A significant part of the scholarship on international relations (IR) has been dedicated to analyzing the works of the international system and how it constrains state action. In that framework, the state mostly becomes a single unit of analysis, with foreign policy representing the manifestation of state behavior. The question of whether that behavior is rational, structural, and forms a pattern has been at the heart of IR research. Another central question relates to the drivers of state behavior in the international system: a quest for military power, economic gain, and/or cultural domination?

Within international relations theory, constructivists have pointed to the role of ideas and values beyond interests and rational choice. When Kathryn Sikkink proposed to explain the different degrees of success of Brazil's and Argentina's development projects in the 1950s, she argued that it was not possible to explain policy outcomes solely based on inferred interests.<sup>4</sup> For her, an understanding of the ideas and beliefs held by actors was also an important part of the explanation. Additionally, in her recent book, Sikkink argues that human rights values and ideas are not exclusive to the North and shows how diplomats from the South, as early as the 1940s, were taking the lead in proposing new international human rights norms and instruments.<sup>5</sup> Hence, Sikkink proposes that state action can also be driven by values that favor human rights promotion.

The constructivist literature on the norm lifecycle is also at the forefront of highlighting the role played by civil society agents and transnational networks in the promotion of human rights norms.<sup>6</sup> Hence, states are not the only actors that matter for international human rights norms to be enacted and observed. However, the "boomerang model"<sup>7</sup> used to explain the dy-

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4. KATHRYN SIKKINK, *IDEAS AND INSTITUTIONS: DEVELOPMENTALISM IN BRAZIL AND ARGENTINA* 6 (1991).

5. KATHRYN SIKKINK, *EVIDENCE FOR HOPE: MAKING HUMAN RIGHTS WORK IN THE 21ST CENTURY* (2017).

6. KATHRYN SIKKINK & MARGARET E. KECK, *ACTIVISTS BEYOND BORDERS: ADVOCACY NETWORKS IN INTERNATIONAL POLITICS* (2014).

7. Thomas Risse & Kathryn Sikkink, *The Socialization of International Human Rights Norms into Domestic Practices: Introduction*, in *THE POWER OF HUMAN RIGHTS: INTERNATIONAL NORMS AND DOMESTIC CHANGE* 18 (Thomas Risse et. al. eds., 1999).

namics of norm adoption and compliance touches upon the state only as a receiver of external pressure. The state being addressed as a unitary agent, it basically reacts to the existing constraints in the international system, which are built up with the participation of local civil society actors and transnational networks of activism.

However, what about the internal and underlying processes that culminate in observable state behavior? When a state refuses to present the United Nations with its report on the Sustainable Development Goals, as decided by Brazil under the new Bolsonaro administration, how can such behavior be interpreted?<sup>8</sup> How do state employees, or bureaucrats, position and reposition themselves vis-à-vis international human rights obligations? Can the state bureaucracy also be comprised of individuals who, given their values, produce intra-state pressure that consolidates the boomerang effect, therefore helping in the adoption and endurance of state commitments to international human rights norms? If so, what happens to those individuals when a populist right-wing government is elected on an anti-human rights platform? Even authors like Beth Simons, who have looked deeper into the domestic dynamics of treaty ratification, have mostly analyzed the role of institutions and the elites, hence overlooking the work of state employees.<sup>9</sup>

Additionally, as exemplified above, the IR scholarship on international human rights norms has mostly used treaty ratification as a proxy for state commitment to human rights. Thus, Thomas Risse and Sikkink's boomerang model assumes that state socialization processes mark a point of no return. If a state has been socialized into human rights values, its behavior can only move forward in human rights promotion, not backward. There is an assumption of unidirectional progress. Unfortunately, that does not seem to be the current case of countries like Brazil, the Philippines, or Venezuela in 2019. States might have moved forward in ratifying treaties and beginning to implement them, but later might reverse their level of engagement. It is argued here that observing intra-state dynamics is crucial to understanding those reversal processes and how right-wing populism operates in disorganizing human rights engagement within the state apparatus.

In fact, the most acknowledged IR literature on human rights emerged at a time when liberal ideals, democracy, and the human rights regime were being consolidated internationally and in various countries, especially in the aftermath of the fall of the Berlin Wall. Recently, however, the diffusion of liberal values may have stalled or even receded.

Besides IR, other scholarly fields may also contribute to this discussion. In the field of public administration, scholars had traditionally worked un-

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8. Jamil Chade, *Governo se Retira de Sabatina Na ONU Sobre Sua Política Social*, (26 May 2019), <https://jamilchade.blogosfera.uol.com.br/2019/05/16/governo-se-retira-de-sabatina-na-onu-sobre-sua-politica-social/>.

9. BETH A. SIMMONS, *MOBILIZING FOR HUMAN RIGHTS: INTERNATIONAL LAW IN DOMESTIC POLITICS* (2009).

der the assumption that the bureaucracy does as it is told. Michael Lipsky was among the first to point out the latitude enjoyed by on-the-ground civil servants tasked with executing public policies and services.<sup>10</sup> More recently, scholars like Guy Peters have also argued that bureaucrats perform many more roles than just implementing orders.<sup>11</sup> In that process, Lotta and Santiago note that both the political science and the public administration literature have increasingly acknowledged the autonomy and discretion enjoyed by bureaucrats, albeit with different understandings of the meaning of those concepts.<sup>12</sup>

Rosemary O'Leary, by working with the concept of guerilla government, has taken to the next level the challenge to the assumption of the bureaucrat as a mechanical implementer.<sup>13</sup> O'Leary researches various cases in which government workers defied and dissented from the orders and policies that they had received. For O'Leary, not only do government workers have room for a decision, but they can also go against what they were explicitly or implicitly told.<sup>14</sup> Hence, Some authors in public administration have recently coincided in concluding that the work of bureaucrats is not as linear or mechanical as might be expected from an idealization of the state. In doing so, those authors contribute to an understanding of civil service as a space where conflicting views and practices co-exist.

From a normative perspective, any kind of deviant behavior on the part of bureaucrats could be considered problematic or even undemocratic by some. If civil servants do not carry out the orders of an elected government, they would be promoting inefficiency and hampering the fulfillment of campaign promises. However, what if such defiant behavior were meant to promote human rights? And for how long can human rights advocates keep rowing against the current within the state apparatus? Do all civil servants enjoy the same possibilities of enacting guerrilla government? In this article, data indicates that diplomats, for instance, are likely to be the ones to first enact policy changes, with less room to deviate from received orders. In other words, foreign policy tends to reflect regime change first, whereas domestic policy will take longer, given the latitude and mobility enjoyed by bureaucrats outside of the foreign service.

In policy studies, the existing literature has only indirectly addressed the role of the bureaucracy. Paul Sabatier and Hank Jenkins-Smith have established the Advocacy Coalition Framework, meant to help address wicked

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10. MICHAEL LIPSKY, *STREET-LEVEL BUREAUCRACY: DILEMMAS OF THE INDIVIDUAL IN PUBLIC SERVICE* (2010).

11. B. Guy Peters, *Still the Century of Bureaucracy?: The Roles of Public Servants*. 30 *PUB. POL. & ADMIN.* 7 (2009), [https://www.mruni.eu/upload/iblock/c42/b.guy\\_peters\\_1.pdf](https://www.mruni.eu/upload/iblock/c42/b.guy_peters_1.pdf)

12. Gabriela Lotta, Ariadne Santiago, *Autonomia e Discricionariedade: Matizando Conceitos-Chave Para o Estudo de Burocracia*, 83 *BIB* (2017).

13. ROSEMARY O'LEARY, *THE ETHICS OF DISSENT: MANAGING GUERRILLA GOVERNMENT* (2006).

14. *Id.*

problems for which there are various and conflicting proposed solutions.<sup>15</sup> According to their framework, bureaucrats could be understood as members of advocacy coalitions pushing for specific policies. It is a fact that bureaucrats working at the same institution could be part of competing advocacy coalitions. However, in times of right-wing populism, the basic defense of human rights becomes a much larger defining factor in comparison to the defense of a specific policy model. For instance, bureaucrats might not agree on what the best public safety policy is, but those defending human rights will tend to be unanimously against extrajudicial killings by the police, as currently done in Rio de Janeiro by Governor Witzel.<sup>16</sup> In fact, Sabatier himself expresses the normative assumption mentioned above: "In the process of public policy making, problems are conceptualized and brought to government for solution; governmental institutions formulate alternatives and select policy solutions; and those solutions get implemented, evaluated, and revised."<sup>17</sup>

However, as indicated further in this article, the state is a much less mechanical system. It is best conceptualized as an arena permeated by disputing views and values. And despite what many might have assumed not long ago, the defense of human rights is not among the values that can be taken for granted or assumed of all civil servants, nor can one assume that all civil servants have lacked those values.

Considering the absence of a human rights perspective in studies of bureaucratic politics, as well as of an account of bureaucratic agency in IR literature, the following sections will detail Brazil's engagement with human rights both at the international and domestic levels. The article will also point out the institutional and career-related aspects that impact the human rights work of bureaucrats. Finally, the article will discuss the effects of the election of a right-wing government on the careers and work of those individuals.

### III. AN ENGAGED STATE, ONCE UPON A TIME

#### A. Human Rights Diplomacy

At the international level, Brazil was among the first states to defend multilateralism and human rights in the early twentieth century. It was among the

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15. Hank C. Jenkins-Smith, et.al., *The Advocacy Coalition Framework: Foundations, Evolution, and Ongoing Research*, in THEORIES OF THE POLICY PROCESS 184 (Paul A. Sabatier & Christopher M. Weible eds., 2007).

16. WOLA STATEMENT, *Rio De Janeiro Authorities Must Halt Extrajudicial Killings, Targeting Of Afro-Brazilian Neighborhoods* (13 May 2019), <https://www.wola.org/2019/05/rio-authorities-must-halt-killings-in-afrobrazilian-neighborhoods/>.

17. Jenkins-Smith, et.al., *supra* note 15, at 3.



few to have been a founding party to all universal international organizations created after World War II, such as the United Nations, UNESCO, and even the more controversial International Criminal Court.<sup>18</sup> In doing archival research, Sikkink found that Brazilian and other Latin American diplomats were very active in the negotiation process that led to the approval of the American Declaration on the Rights and Duties of Man, months before the Universal Declaration was approved in the UN.<sup>19</sup> Even before that, at the beginning of the century, Brazilian diplomat Rui Barbosa had had an outstanding performance of engagement with multilateralism during the Hague Conferences, which earned him the nickname “The Hague’s Eagle.”

Brazil’s engagement with multilateralism and human rights was not limited to the years surrounding the two World Wars. It became part of the tradition of Brazilian diplomacy, especially after the country transitioned to democracy in the late 1980s. This engagement was manifested, for instance, in the country’s leadership in negotiating the creation of the UN Human Rights Council in 2006 and, with it, the Universal Periodic Review.<sup>20</sup> Brazil was also highly engaged in proposing new human rights norms, such as those for the protection of LGBTQ rights.<sup>21</sup>

Several authors have addressed Brazil’s profile as a lead negotiating country on human rights topics. Clara Solon, for instance, looked at Brazil’s performance at the UN Human Rights Council from 2006, when the Council was created, to 2011.<sup>22</sup> She identified that the country’s policy had at least three defining elements: no automatic alignments to specific countries, universalism, and no selectivity.<sup>23</sup> In other words, Brazil would not automatically follow another country’s position; it would strive to seek universality in the Council’s resolutions and procedures; and it would act against decisions that would single out specific countries due to a hidden political agenda. Interestingly, these principles had been internally produced and cultivated by Brazilian diplomats themselves, as an ethos for their work. As a consequence, if one looks at the political platforms of governments in power from re-democratization to January 2019, party politics will not help explain the adoption of those principles.

As the United Nations Human Rights Council went through its first institutional review process in 2011, Brazil’s Ambassador, Maria Nazareth Farani,

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18. Although, as of 2019, Brazil’s National Congress has not yet ratified the Rome Statue.

19. SIKKINK, *supra* note 5, at 57.

20. MURILO V. KOMNISKI, *CONSELHO DE DIREITOS HUMANOS E A ATUAÇÃO DO BRASIL: DESDOBRAMENTOS RECENTES NO SISTEMA ONU DE DIREITOS HUMANOS* (2017).

21. Maria Beatriz Bonna Nogueira, *The Promotion of LGBT Rights as International Human Rights Norms: Explaining Brazil’s Diplomatic Leadership*, 23 *GLOBAL GOVERNANCE* 545 (2017).

22. Clara Martins Solon, *A Política Exterior Brasileira e o Conselho de Direitos Humanos: O desafio de Conjuguar Universalidade e não Deletividade no Alvorecer do Século XXI* (2011), (Unpublished dissertation) (on file with author).

23. *Id.*



led the negotiations around the most controversial item on the agenda, which referred to procedures around urgent cases.<sup>24</sup> That initiative was consistent with the principle of non-selectivity, making sure urgent cases would be considered but not instrumentalized by geopolitical interests. Interestingly, the same ambassador would act in opposition to that principle in 2019, as she abstained to vote on a resolution on the human rights situation in the Philippines, and yet made numerous mentions to the human rights situation in Venezuela.<sup>25</sup>

Brazil's deep engagement with human rights at the multilateral level was also reflected in the nomination and efforts for the election of several Brazilian nationals for human rights bodies and special procedures: Margarida Pressburger to the UN Committee against Torture; late Wanderlino Nogueira Neto to the UN Committee on the Rights of the Child; Renato Zerbini Leão to the UN Committee on Economic, Social, and Cultural Rights; Flavia Piovesan, Paulo Vannuchi, and Paulo Sérgio Pinheiro to the Inter-American Commission on Human Rights; Antonio Augusto Cançado Trindade to the Inter-American Court of Human Rights and later to the International Court of Justice.

Brazilian diplomacy has also taken the lead in the negotiation of several high profile international issues. In the UN, Brazilian diplomats argued against the "responsibility to protect" (R2P) doctrine and counter-proposed the "responsibility while protecting" (RwP) principle, acting as norm entrepreneurs.<sup>26</sup> The idea was that foreign interventions grounded on humanitarian reasons should also be held accountable for the protection of civilians. For years, Brazilian diplomacy also strived to help negotiate a nuclear deal with Iran.<sup>27</sup> In South America, Brazil helped create the "Group of friends of Venezuela," which was meant to find a negotiated solution for the political problems in the neighboring country. Brazil also took the lead in the UN Stabilization Mission in Haiti, known for its acronym MINUSTAH. In summary, it is fair to say that Brazilian diplomacy had never been a quiet or irrelevant one, especially at the multilateral level.

Brazil's engagement with multilateralism just had a clear limit: the country was protective of its international image and wary of international interventions. This meant that diplomacy made sure the country would not be internationally exposed as a place of human rights violations. This was

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24. *Id.*

25. Permanent Mission of Brazil, Oral Statement, Human Rights Council 41st session, Item 2: Oral update by the United Nations High Commissioner for Human Rights (under Agenda Item2), (21 Aug. 2019), <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/41Session/Pages/Statements.aspx?SessionId=30&MeetingDate=25/06/2019%2000:00:00>.

26. Kai Michael Kenkel & Cristina G. Stefan, *Brazil and the Responsibility While Protecting Initiative: Norms and the Timing of Diplomatic Support*, 22 *GLOBAL GOVERNANCE* 41 (2016).

27. CELSO AMORIM, TEERÃ, RAMALÃ E DOHA: MEMÓRIAS DA POLÍTICA EXTERNA ATIVA E ALTIVA (2015).

reflected, for instance, in Brazil's engagement with the Inter-American Human Rights System, as exemplified by the controversy regarding the Belo Monte case.<sup>28</sup> In 2011, Brazil reacted negatively to measures determined by the Inter-American Commission on Human Rights, according to which the country should halt all construction activities for the new Belo Monte dam in the Amazon region.<sup>29</sup> In the Americas, Brazil's engagement with multilateralism is influenced by the perception that the Organization of American States is dominated by the resources and influence of the United States.<sup>30</sup> Outside the regional system of state accountability, however, Brazil has a record of having ratified all but one of the international human rights treaties<sup>31</sup> and has maintained a policy of standing invitation to all UN rapporteurs and other special procedures.<sup>32</sup>

Brazil's resistance to being internationally exposed for its human rights violations attracted considerable criticism from scholars and civil society organizations. Fiona Macaulay, for instance, notes "a certain paradox in Brazil's attitude to human rights promotion beyond its borders: that it is an enthusiastic participant in norm building, but very reluctant to criticize individual nation states due to a strong underlying belief in national sovereignty."<sup>33</sup> Additionally, according to Santoro, at the bilateral and regional level Brazil also fell short of being a true human rights promoter, rather opting for a diplomatic style that was non-confrontational and rather focused on capacity building.<sup>34</sup> Hence, Brazilian diplomacy had a record of being highly engaged in human rights promotion at the multilateral level, while also carefully avoiding pointing fingers at individual countries and protecting itself against what could be perceived as an undue international influence or meddling in domestic affairs. Such paradox at times deeply frustrated civil society activists who were at the forefront of denouncing urgent cases of human rights violations.<sup>35</sup> In those situations, Brazilian diplomacy would hardly ever be a strong ally.

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28. Michelle Morais de Sá e Silva, *An intrastate approach to the withdrawal from International Organizations: The case of Brazil and the Inter-American Commission on Human Rights*. GLOBAL GOVERNANCE (FORTHCOMING).
  29. ANNUAL REPORT OF THE IACHR (2011), PM 382/10, Indigenous Communities of the Xingu River Basin, Pará, Brazil, (01 Apr. 2011), <https://www.oas.org/en/iachr/decisions/precautionary.asp>.
  30. Personal Communication with Dilma Rousseff, Former President of Brazil (19 Apr. 2018).
  31. The exception is the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, G.A. RES. 45/158, U.N. GAOR, 45<sup>th</sup> Sess., U.N. Doc. A/RES/45/158 (1990), was not signed by Brazil.
  32. Standing Invitations, Office of the High Commissioner for Human Rights (01 Aug. 2019), <https://spinternet.ohchr.org/StandingInvitations.aspx><https://spinternet.ohchr.org/StandingInvitations.aspx>.
  33. Fiona Macaulay, *The Impact of Domestic Politics on Brazil's Foreign Policy on Human Rights*, in SHIFTING POWER AND HUMAN RIGHTS DIPLOMACY: BRAZIL 77 (Thijs van Lindert & Lars van Troost eds., 2014).
  34. Maurício Santoro, *Will Brazil Ever Become a Credible Human Rights Promoter in South America?*, in SHIFTING POWER AND HUMAN RIGHTS DIPLOMACY, *supra* note 33, at 67.
  35. Deisy Ventura & Raísa Ortiz Cetra, *O Brasil e o sistema interamericano de direitos humanos: de Maria da Penha à Belo Monte*, in JUSTIÇA DE TRANSIÇÃO NAS AMÉRICAS: OLHARES INTERDISCIPLINARES, FUNDAMENTOS E PADRÕES DE EFETIVAÇÃO (José Carlos Moreira da Silva Filho & Paulo Abrão, Marcelo D. Torelly eds., 2013).

At the same time, it was unheard of that a Brazilian diplomat would take the podium to speak against the advancement of the international human rights regime or that he/she would side with states that are traditionally and consistently against human rights norms.

Institutionally, the Brazilian Ministry of Foreign Affairs—popularly known as Itamaraty<sup>36</sup>—is an old, large, and well-established ministry. It is responsible for 139 embassies and twelve missions, besides the various consulates.<sup>37</sup> The Ministry counts on over 3,000 career civil servants, a number that has remained relatively stable from 1997 to 2016.<sup>38</sup> Brazil's diplomatic corps has also been highly regarded for its quality. Entry into the diplomatic career involves a series of written exams, besides two foreign language requirements. The competitive exam happens every year and offers about thirty positions. During the time of Foreign Minister Celso Amorim, the number of positions was increased to one hundred, with the aim of staffing the new embassies opened by then-President Lula in various countries, especially in the African continent.

After the written exams, candidates go through a rigorous training program, which takes up to two years to complete. Successful completion is a requirement for anyone to be officially sworn in the diplomatic corps. Both the initial and on-the-job trainings are offered by an educational institute linked to the Ministry of Foreign Affairs, Instituto Rio Branco, created in 1945. Trainings are responsible for providing coherence and cohesion in the work of diplomats. As defined by the Institute:

Based on the country's interest, you will be prepared to work with a number of topics, which range from peace and security, trade norms and financial and economic relations, to human rights, the environment, illicit drug trafficking, naturally addressing all that it takes to strengthen relations of friendship and cooperation between Brazil and its numerous foreign partners.<sup>39</sup>

The diplomatic career has a well-established, strict, and hierarchical promotion structure. Progress in the career depends on service on foreign assignments, the completion of new training programs, and a positive evaluation by higher-rank peers. This latter aspect of the career promotion process makes the Brazilian diplomatic corps strongly hierarchical, with internal relations weighing heavily on the career prospects of a diplomat. Besides promotion, a diplomat's image and reputation among his/her peers are also important in the process of defining their foreign assignment. Highly-regarded diplomats with strong networks inside the Ministry tend to get assignments in

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36. Itamaraty is the name of the palace where the Ministry was originally housed in Rio de Janeiro.

37. MINISTÉRIO DAS RELAÇÕES EXTERIORES, O MINISTÉRIO (2 Aug. 2019), [http://www.itamaraty.gov.br/pt-BR/?option=com\\_content&view=article&id=5680&Itemid=194&lang=pt-br](http://www.itamaraty.gov.br/pt-BR/?option=com_content&view=article&id=5680&Itemid=194&lang=pt-br).

38. MINISTÉRIO DO PLANEJAMENTO, BOLETIM ESTATÍSTICO DE PESSOAL E INFORMAÇÕES ORGANIZACIONAIS (2 Aug. 2019), [http://www.planejamento.gov.br/secretarias/upload/Arquivos/servidor/publicacoes/boletim\\_estatistico\\_pessoal/2017/bep-dezembro-2017](http://www.planejamento.gov.br/secretarias/upload/Arquivos/servidor/publicacoes/boletim_estatistico_pessoal/2017/bep-dezembro-2017).

39. INSTITUTO RIO BRANCO, A CARREIRA DE DIPLOMATA (12 Aug. 2019), <http://www.institutorio Branco.itamaraty.gov.br/a-carreira-de-diplomata> (Author's translation).

the most important embassies and missions, which are usually located in the richest capitals of the world. As explained later, this system of peer-pressure helps explain why Brazilian foreign policy positions on human rights were so quickly reversed with just a few months of the Bolsonaro administration.

## B. Specialized Human Rights Bureaucracy

Brazilian federal institutions have been considered fairly capable due to a well-trained elite that enters civil service through highly competitive written exams. That is true not only for diplomats, but also for the majority of federal civil servants in elite careers. Federal careers used to be very attractive for highly skilled and educated Brazilian professionals. Up to the 2019 approval of Brazil's pension reform, the rule used to be that civil servants could not retire before thirty-five years of pension contributions.<sup>40</sup> Hence, those retiring in 2019 began their civil service career in 1984 or later, with every other civil servant having entered the federal government after that date. Consequently, that means all current federal workers have been at the Brazilian state since it transitioned to democracy. Internationally, this period also coincides with "the end of history" and the prevalence of liberal values,<sup>41</sup> as well as with the consolidation of the international human rights regime.<sup>42</sup> Specifically at the dawn of the new millennium, there was significant growth in the size of the federal service, with the total number of active permanent workers going from 500,000 in 2002 to 650,000 in 2016.<sup>43</sup>

Growth in the federal workforce happened parallel to the creation of new federal institutions, some of them dedicated to human rights topics. Federal interest in the human rights agenda began during the Cardoso administration (1995-2002) and was expanded and further institutionalized during the Lula (2003-2010) and Rousseff (2011-2016) administrations. Civil society organization DHNet presents a timeline for the early development of federal human rights institutions in Brazil:

The National Secretariat for Human Rights (SNDH) was first created as part of the regimental structure of the Ministry of Justice in 1997, replacing the then Secretariat for Citizens Rights (SDC), which was responsible for nationally designing, regulating and coordinating policies to defend the rights of children and adolescents and of persons with disabilities. SNDH was created and took on a larger set of responsibilities, being also responsible for: coordinating,

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40. Minimum of thirty-five years of contribution for men, thirty years for women.

41. Francis Fukuyama, *The End of History?*, 16 THE NAT'L INT. 3 (1989).

42. SIMMONS, *supra* note , at 23.

43. FÉLIX LOPEZ & ERIVELTON GUEDES, INSTITUTO DE PESQUISA ECONÔMICA APLICADA, ATLAS DO ESTADO BRASILEIRO: UMA ANÁLISE MULTIDIMENSIONAL DA BUROCRACIA PÚBLICA BRASILEIRA EM DUAS DÉCADAS (1995-2016) 8 (18 Dec. 2018).

managing and monitoring the implementation of the National Human Rights Program; cooperating with international organizations; and coordinating the National Human Rights Award. On January 1<sup>st</sup>, 1999, the SNDH was turned into State Secretariat of Human Rights (SEDH), whose leadership would have the status of a Minister, with the possibility of seating in ministerial meetings. [...] On January 1<sup>st</sup>, 2003, President Luís Inácio Lula da Silva created the Special Secretariat of Human Rights.<sup>44</sup>

In 2010, the term “special” was dropped and the Secretariat of Human Rights (SDH) became part of the broader structure of the President’s Office, thus breaking its long institutional dependence on the Ministry of Justice. The new institutional link to the Presidency was created in the hopes that human rights issues and policies would gain higher status and priority in the national agenda. According to federal rules, because SDH was part of the President’s Office, it was also able to request federal civil servants from any federal career or any federal agency. This allowed federal workers with an interest in human rights issues to go work at SDH even when their careers were based at other institutions. In 2015, then-President Rousseff opted for merging three of the secretariats that belonged to the Presidency and created the Ministry of Women, Racial Equality, and Human Rights. The merge also meant the consolidation of the three technical teams.

As Michel Temer (2016-2018) assumed the interim government in 2016, he initially extinguished the Ministry of Women, Racial Equality, and Human Rights and returned the human rights agenda to the Ministry of Justice. A year later he recreated it and, in 2019, Jair Bolsonaro renamed it the Ministry for Women, Family, and Human Rights. The inclusion of the term “family,” for the first time in the institution’s history, was meant to be a signal of the conservative approach taken by the new government towards human rights policies.

Until 2019, the bureaucracy at the Ministry of Human Rights worked on a breadth of topics, most of which were directly aligned with the existing framework of international human rights norms:<sup>45</sup>

- Children’s rights;
- Rights of persons with disabilities;
- Protection against torture, and other cruel, inhuman, and degrading treatment;
- Human rights defenders;
- LGBT rights;
- Right to memory;
- Protection against forced labor;
- Rights of the elderly;
- Rights of the homeless; and
- Human rights education.

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44. DHNET, O PAPEL DA SECRETARIA ESPECIAL DOS DIREITOS HUMANOS (2015), <http://www.dhnet.org.br/dados/cursos/dh/cc/1/papel.htm> (Author’s translation).

45. Due to the numerous changes in the institution’s name throughout the years, this paper will generically refer to it as the Ministry of Human Rights.

Even though the above topics somewhat coincide with the Ministry's departmental structure, institutional variables have not carried the same weight as in the case of the Ministry of Foreign Affairs. For one, the Ministry of Human Rights does not have its own permanent servants, with staff being comprised of a combination of political appointees and career civil servants from various other agencies. Additionally, as a relatively young institution, the Ministry went through a high turnover in leadership, especially in more recent years. Since its creation in 1997, the Ministry has gone through thirteen different Ministers, where some of them have stayed in the position for less than a year. The institutional structure also went through various changes, which somewhat coincided with changes in leadership. Despite the institutional instability, the Ministry's mission as the lead agency to promote federal policies in the topics above was relatively stable up until 2019.

### C. Human Rights Bureaucracy Beyond the Ministry of Human Rights

Except for the so-called "protection programs,"<sup>46</sup> the Ministry of Human Rights has never been a service provider. It is responsible for the "inter-ministerial and inter-sectoral coordination of policies to promote and protect human rights in Brazil."<sup>47</sup> Federal policies that directly provide services and programs to citizens are located at other ministries and agencies and many of them are crucial for the realization of human rights in the country. The understanding that human rights were realized through various other federal policies meant, for instance, that Brazil's delegation to the Universal Periodic Review in 2012 was composed of over 39 officials from various federal institutions.<sup>48</sup>

Many are the examples of human rights work developed by the bureaucracy in federal institutions other than the HR Ministry. This article will address two of them due to the almost voluntary nature of the work involved. In other words, these two examples present a kind of human rights advocacy that was not mandated by the institutions in which bureaucrats worked.

#### 1. Affirmative Action Regulation

In 2014 Brazilian Congress approved new legislation mandating a 20 percent quota for black and "*pardo*"<sup>49</sup> Brazilians in every selection process for federal

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46. There are three kinds of protection programs directly managed by the Ministry: Program to Protect Human Rights Defenders; Program to Protect Victims and Witnesses; Program to Protect Children and Adolescents under Death Threats.

47. MINISTÉRIO DA MULHER, DA FAMÍLIA E DOS DIREITOS HUMANOS, INSTITUCIONAL <https://www.mdh.gov.br/informacao-ao-cidadao/institucional> (Author's translation).

48. MARIA DO ROSÁRIO, SECRETARIA DE DIREITOS HUMANOS DE PRESIDÊNCIA DA REPÚBLICA, BRASIL NA REVISÃO PERIÓDICA UNIVERSAL DAS NAÇÕES UNIDAS: PRINCIPAIS DOCUMENTOS DO SEGUNDO CICLO (2012).

49. Translating to US racial terms, "*pardo*" would correspond to mixed race with a predominantly black phenotype.



entry-level positions. Law 12,290 followed Law 12,711, which in 2012 had established racial quotas for admission to all federal universities. However, the implementation of those laws was met with cases of fraud, mostly by applicants who would illegitimately claim to be black or *pardo* in order to benefit from the quota system. As a result, the Public Prosecutor's Office, at the request of black social movements, demanded further regulation of how the law ought to be implemented and of how candidates' racial self-identification ought to be checked. Specifically, recommendations were made to the Ministry of Planning, which had just conducted a selection process that had been questioned injustice.

In response, a group of civil servants initially based at the Ministry of Planning started working to define new regulations and practices for the quota system. With the understanding that the quota law was important in a racially unequal country, those civil servants wanted to save the legitimacy of the law by making its implementation process as free of frauds as possible. After extensive discussions, they opted for the adoption of "hetero-identification" commissions, which had already been experimented at federal universities. Those commissions consist of a group of interviewers who meet the candidate to verify his/her racial phenotype.

This team of bureaucrats led the process of creating a new norm to both establish the requirement for hetero-identification commissions and to define how they were to be formed. This resulted in Normative Instruction no. 03, issued by the Ministry of Planning in 2016. Even though those bureaucrats' work was supposedly done, they subsequently engaged in helping train institutions on how to form commissions and on how they should operate. Formally, this was not part of their daily job, and yet they took the time to provide advice and training.

Later in 2016, many of those bureaucrats left the Ministry of Planning and were relocated to other ministries. Their engagement with racial inclusion, however, continued. As many of them valued racial inclusion, they were also concerned about the inclusion process of those selected through the quota system. With the understanding that the Brazilian civil service is mostly white and that newly selected black civil servants would be a minority, they were concerned about the systemic racism that might affect new entrants. Hence, they also engaged in conversations with the institutions doing selection processes to make sure that their preparatory trainings would address racism.

The latest normative work that resulted from the group's engagement is the Ministry of Planning's Normative Instruction n. 04, issued on 06 April 2019. The norm provides, for the first time, a comprehensive regulation for how federal selection processes were to implement the racial quota system. Interestingly, the preamble of the document uses the following language:



[C]onsidering article II of the Convention on the Elimination of all Forms of Racial Discrimination, promulgated by Presidential Decree n. 65.810 of 8 December 1969; (. . .) considering the guidelines of the Third National Plan of Human Rights—PNDH III, approved by Decree No 7.037, of 21 December 2009.<sup>50</sup>

The work done by this group of bureaucrats in the regulation of the quota system for federal selection processes cannot be understood from a strict institutional perspective. Here the bureaucratic argument of “you stand where you sit” does not apply, as many of these individuals were not working for the Ministry of Planning past 2016 and yet they remained engaged with the Working Group. To better understand the dedication and efforts, one ought to take into account their personal commitment to greater racial equality in a very unequal country.

## 2. *Gender Committees*

In 2004, the Ministry of Agrarian Development officially created the Permanent Committee to Promote Gender, Racial, and Ethnic Equality at the National Council for Rural Sustainable Development (Condraf).<sup>51</sup> That was the first of several other gender committees that were later created in various other ministries and agencies. In 2014, the Ministry of Policies for Women (SPM) counted fifteen of those “gender mechanisms” at federal ministries and agencies. Of those, seven pre-date the National Plan for Policies for Women (PNPM), which was enacted in 2013 and encouraged the creation of gender mechanisms in every federal institution to make gender issues crosscutting to every federal policy.<sup>52</sup>

Despite SPM’s official encouragement for the creation of gender mechanisms, the actual creation of those really depended on the involvement and engagement of bureaucrats, especially women, to build gender committees at their institutions. That is the story, for instance, of the Gender and Race Committee of the Ministry of Foreign Affairs, which was created in 2014 to address gender and racial issues that were of concern to women diplomats. Although the National Plan encouraged the creation of those mechanisms to make public policies more gender-conscious, many of those committees started by addressing gender discrimination within their own institutions.

Some gender committees were able to formalize their existence in the form of a ministerial-level norm. Others, however, started operating informally and were only later institutionalized. That was the case, for instance, of the Gender Committee at the National School of Public Administration (ENAP).

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50. LexMagister, Portaria Normativa No. 4, (6 Apr. 2018), [http://www.lex.com.br/legis\\_27634767\\_PORTARIA\\_NORMATIVA\\_N\\_4\\_DE\\_6\\_DE\\_ABRIL\\_DE\\_2018.aspx](http://www.lex.com.br/legis_27634767_PORTARIA_NORMATIVA_N_4_DE_6_DE_ABRIL_DE_2018.aspx).

51. Condraf, Resolução No. 44 (13 July 2004), [https://www.normasbrasil.com.br/norma/resolucao-44-2004\\_100577.html](https://www.normasbrasil.com.br/norma/resolucao-44-2004_100577.html).

52. SPM, CAPACITAÇÃO PARA OS MECANISMOS DE GÊNERO NO GOVERNO FEDERAL (2014).

A group of women bureaucrats initiated meetings and various activities in 2016, with the committee becoming official in 2017. Even though none of them were mandated to create the committee or to work for it, regular meetings were organized, from which several conferences, courses, and seminars derived. Between 2016 and 2018, ENAP's gender committee became a reference for gender discussions at the federal government. The committee was able to establish international partnerships with United Nations Women and European embassies based in Brasilia, which gave it greater legitimacy and some resources to organize events. In April 2019, President Bolsonaro signed a decree extinguishing all federal committees, commissions, and councils that had not been created by law. This applied to Enap's gender committee, which can no longer formally operate within the school.

#### **D. An Engaged State and its Bureaucracy**

As the above sections have exemplified, Brazil had a history of engagement with human rights norms at the international level, as well as with human rights policies at the domestic level. Such history has been marked by the participation and involvement of federal bureaucrats, including those in the foreign service, those at the Ministry of Human Rights, as well as those in agencies whose policies are relevant for human rights work.

Here the direction of causality may be difficult to determine. Is this an engaged state because it is composed of human rights bureaucrats? Or are bureaucrats allowed and even encouraged to do human rights work because of the state's international engagement with human rights norms? International relations and public administration scholars might disagree on those questions. Nonetheless, regardless of what the independent variable may be, one can observe an organic process in which the state and its bureaucracy worked in tandem to make Brazil a country that used to be counted as a human rights ally.

However, as the country elected Jair Bolsonaro as its President in November 2018, that profile significantly changed, both internationally and domestically. The following sections will present evidence of those changes and will analyze what they have meant for a federal bureaucracy that was, until very recently, immersed in human rights work.

### **IV. REVERSAL AND REVISIONISM**

Like other populist leaders, Brazil's President Jair Bolsonaro has stood out for using language that makes human rights advocates roll their eyes. He is known for pointing his fingers in a gun shape, as a sign of support for

the extrajudicial killing of suspected outlaws. Before being elected, he was already known for having told a congresswoman that he would never rape her because she did not deserve it, and for praising the general who tortured former President Rousseff during Brazil's military regime.<sup>53</sup> After being sworn in as President, his anti-human rights statements did not cease. To the president of the Brazilian Bar Association, he said he could tell him how his father had died. The father was disappeared during the military years and to this day the family has not found his body.

At the height of his slurs against the human rights agenda, President Bolsonaro directly attacked the United Nations High Commissioner for Human Rights, Michelle Bachelet. In a social media post, Bolsonaro directly responded to a statement made hours before by the United Nations High Commissioner, in which she reflected on various global human rights issues and problems. Briefly, Ms. Bachelet mentioned that the democratic space in Brazil was being reduced. A few hours later, Mr. Bolsonaro posted insults to her and her deceased father, who had been arrested and tortured by Pinochet's regime. He also repeated the conservative motto according to which human rights are the "rights of criminals."<sup>54</sup>

Discursive elements of populism in Brazil relate human rights values and policies to the previous Labor Party administration. Human rights are portrayed as communist, leftist, and part of "globalism" and "cultural Marxism." Compliance with international human rights norms is also considered ideologic and unpatriotic. In the words of Bolsonaro's Foreign Minister:

Social justice, the rights of the minorities, tolerance, and diversity in the hands of the left are only verbal instruments meant to turn off the healthy psychological energy of a human being. The application of this ideology to democracy produces the obsession in following 'international regimes.' It produces a kind of foreign policy in which there is no love for your country, but just attachment to a "norm-based international order."<sup>55</sup>

Furthermore, Bolsonaro's Human Rights Minister, Damares Alves, has been at the forefront of combating what the administration—and right-wing movements—call "gender ideology."<sup>56</sup> The day Minister Alves took office,

53. Anna Jean Kaiser, *Woman Who Bolsonaro Insulted: "Our President-Elect Encourages Rape,"* THE GUARDIAN (23 Dec. 2018), <https://www.theguardian.com/world/2018/dec/23/maria-do-rosario-jair-bolsonaro-brazil-rape>.

54. Dom Phillips, *Bolsonaro Taunts UN Rights Chief Over Her Father's Torture by Pinochet Regime,* THE GUARDIAN (4 Sept. 2019), <https://www.theguardian.com/world/2019/sep/04/jair-bolsonaro-michelle-bachelet-brazil-police-killings>.

55. Ernesto Araújo cited in Isabel Fleck, Ernesto Araújo, *Como Um Artigo Definiu o Novo Chanceler,* HUFFPOST BRASIL (15 Nov. 2018), [https://www.huffpostbrasil.com/2018/11/15/ernesto-araujo-como-um-artigo-definiu-o-novo-chanceler\\_a\\_23590181/](https://www.huffpostbrasil.com/2018/11/15/ernesto-araujo-como-um-artigo-definiu-o-novo-chanceler_a_23590181/). (Translation by the author)

56. Similar to debates in Colombia in the framework of the peace agreement referendum, Brazilian elections were very contaminated by debates around a purported "gender ideology." In November 2017, philosopher Judith Butler visited Brazil, which led to right-wing organized demonstrations against her, suggesting she would be the founder of the "gender ideology."

she was recorded on camera enthusiastically stating: “It is a new era in Brazil. Girls will wear pink, boys will wear blue.”<sup>57</sup> Although these statements might be downplayed by some as fire hoses, their importance cannot be underestimated when it comes to their impact on the bureaucracy. Mrs. Alves leads the institution that, now renamed the Ministry for Women, Family, and Human Rights, should be in charge of coordinating public policies for gender equality.

For some, the institutional preservation of the human rights ministry could be considered as a sign of continued engagement with human rights. However, as defined by an interviewed civil servant, the ministry’s new policy is of engaged “revisionism.” According to the interviewee, “[t]hey want to define human rights according to their own perspective. They do not want to end institutions. They want institutions for their human rights revisionism.”<sup>58</sup> Examples of this practice include the redefinition of gender as biological sex, both in the United Nations resolutions and in public policy; the inclusion of so-called “ex-gays” or “cured gays” as civil society representatives in the LGBT Council; and the hollowing of the work of the Commission on Political Disappearances, which is now tasked to address present forms of disappearances, rather than political disappearances that occurred during the military regime.

How has this reversal in commitment to international human rights norms and revisionism impacted the bureaucracy? This research has indicated that there have been two differential impact processes when it comes to federal civil servants.

Despite Brazil’s long-existing engagement with the international human rights regime, foreign policy quickly came to reflect Bolsonaro’s right-wing platform. Diplomats at Brazil’s Mission to the United Nations Human Rights Council in Geneva have promptly executed Bolsonaro’s foreign policy directives, asking, for instance, for the exclusion of the term “gender equality” in Council resolutions,<sup>59</sup> abstaining from voting on a resolution on the human rights situation in the Philippines,<sup>60</sup> and siding with traditionally conservative states on a resolution to prevent child marriage.<sup>61</sup>

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57. *Além do Azul e Rosa: Outras Opiniões de Damares Alves*, VEJA (3 Jan. 2019), <https://veja.abril.com.br/politica/alem-do-azul-e-rosa-outras-opinioes-de-damares-alves/>.

58. Telephone Interview with an officer at the Ministry for Women, Family, and Human Rights (20 Aug. 2019).

59. Jamil Chade, *O Brasil ao lado das ditaduras mais cruéis do mundo*, EL PAÍS (20 July 2019), [https://brasil.elpais.com/brasil/2019/07/18/opinion/1563485645\\_650175.html](https://brasil.elpais.com/brasil/2019/07/18/opinion/1563485645_650175.html).

60. Permanent Mission of Brazil, Oral Statement, Human Rights Council 41st Sess. Item 2: A/HRC/41/L.20 - Promotion and protection of human rights in the Philippines (21 Aug. 2019), <https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/41Session/Pages/Statements.aspx?SessionId=30&MeetingDate=11/07/2019%2000:00:00; Promotion and Protection of Human Rights in the Philippines>, U.N. GAOR, Hum. Rts. Council, 41st Sess., Agenda Item 2, U.N. Doc. A/HRC/41/L.20 (2019).

61. Chade, *supra* note 59.

Given their hierarchical and peer-controlled career structure, diplomats have had no option but to oblige. Even though they may ask to be relocated to other assignments, this process takes time, depends on their “good behavior,” and is usually difficult to secure before they are up for relocation. As a consequence, even the most committed diplomats have had to write statements and to negotiate resolutions steering Brazil’s human rights foreign policy in a very different direction considering the country’s past engagement and commitment to the international human rights regime.

Other career civil servants, nonetheless, have been going through a different, albeit not less complicated process. At the Ministry of Human Rights, every director and other higher-level position that had served the Temer administration was fired as soon as Minister Damares took office. Considering that the Temer government was not left-leaning but rather the result of Rousseff’s impeachment, the complete overhaul surprised the bureaucracy.<sup>62</sup> Among those who had not been fired, some opted to leave the Ministry anyways, while others moved internally to departments in which there were bosses who could protect them. This self-reorganization of the bureaucracy helped human rights bureaucrats maintain their jobs as civil servants without having to contradict their values and expertise. On the other hand, the ones who remained in their original positions and departments justified it on the basis of having to secure the continuation of important policies.<sup>63</sup> In this latter case, however, they fear being perceived as contributors to a fascist government.

Additionally, it should be noted that, since Bolsonaro’s election in November of 2018, his discourse and policy towards federal bureaucrats has been marked by two main elements: (1) a neoliberal economic element, according to which civil servants are portrayed as too expensive and inefficient; and (2) an ideological element, in which they have all been labeled as “petistas,” in reference to a previous Labor Party (PT) administrations. The first element can be found in his government’s pension reform, which significantly reduces pension benefits for federal workers. It can also be found in a decision by the Ministry of the Economy, which cut the provision of supplies and mandated the termination of contracts for support personnel, such as interns and secretaries. Those neoliberal measures have created a sense that bureaucrats are not valued and are blamed for the country’s economic crisis.

On the ideological element, President Bolsonaro stated, in his campaign trail in 2018, that he was going to “shoot all Labor Party supporters.”<sup>64</sup> That

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62. Telephone Interview with an officer at the Ministry for Women, Family, and Human Rights (20 Aug. 2019).

63. This position was common among some bureaucrats after the impeachment of President Rousseff in 2016. Those who were against the impeachment but remained in their original positions argued that they needed to avoid losses and reversals in important public policies.

64. Janaína Ribeiro, “Vamos Fuzilar a Petralhada”, *diz Bolsonaro em campanha no Acre*, EXAME (3 Sept. 2018), <https://exame.abril.com.br/brasil/vamos-fuzilar-a-petralhada-diz-bolsonaro-em-campanha-no-acre/>.

statement was made with an automatic machine gun in his hands. He has repeated that idea of elimination many times since, including on 14 August 2019, when he stated that he was going to “sweep away from the country all the red corrupt communists.”<sup>65</sup> Even though those sentences might be considered hollow and meaningless, for some civil servants they have created a deep fear of being identified as a PT supporter. Additionally, that label has been attached not only to official party members, but to all those who served the PT governments (2003-2016) in a mid-level or high-level bureaucratic position. The label also applies to those who have worked or were engaged with issues related to gender, race, indigenous peoples, the environment, and human rights at large. Besides being demoralized for being civil servants, human rights bureaucrats are particularly at risk of individual persecution and harassment.

## V. CONCLUSION

Right-wing populism in Brazil has led to a reversal in the country's commitment to human rights both domestically and internationally. In order to understand that, one needs to take a closer look into how the Brazilian state evolved into having a federal bureaucracy that was committed to human rights both at the level of domestic public policy and foreign policy. The use of discursive elements of fear and hate speech, which greatly impacts minorities—and the black and women majority—has also impacted the work and morale of bureaucrats, especially those who were engaged in human rights promotion in various federal institutions before Bolsonaro took office.

As right-wing populism in Brazil has been fundamentally based on an anti-human rights discourse, it has coerced human rights bureaucrats, with differential effects upon diplomats and non-diplomats. In foreign policy, that coercion was more immediate, given the rigid and hierarchical nature of foreign service. In domestic policy, it had the effect of displacing, disorganizing, and demoralizing the bureaucracy committed to human rights work. Have their individual values changed? Very unlikely, but the existing material and symbolic constraints cancel out most of their possibilities to enact human rights actions and policies.

From a theoretical perspective, Brazil's case indicates the importance of delving into the state apparatus and further looking at the bureaucracy's work, commitment, and engagement. The understanding of the state as an arena being disputed by multiple values, agendas, and ideologies allows for a better interpretation of state behavior in the international system. In the fields of international relations, public policy, and public administration,

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65. Gabriel Wainer, *Em Estado Petista, Bolsonaro Fala em “Varrer Turma Vermelha,”* TERRA (14 Aug. 2019), <https://www.terra.com.br/noticias/brasil/politica/em-estado-petista-bolsonaro-fala-em-varrer-turma-vermelha,66100ad1b6914987d1dc4c7744d77f26rt5zty8n.html>.

research has a lot to gain by looking at the micro-processes and dynamics playing out at the bureaucratic level. As the world becomes appalled by environmental and human rights violations in Bolsonaro's Brazil, the bureaucracy is definitely not the first-place scholars tend to look at.

From a normative perspective, international organizations and human rights movements should be also aware that part of a government's bureaucracy may turn out to be an important ally when it comes to values and commitment. They should also be aware that different parts of the bureaucracy may work under different constraints, such as in the case of diplomats. Identifying strategies to work with those potential and yet very constrained allies may turn out to be more effective than direct confrontation.

Finally, researching the bureaucracy at times of populism may bring contributions not only to the human rights scholarship, but also to other related fields, such as the environment and immigration policy. In Brazil, the replication of this research and approach may yield interesting results at a time when the Amazon is in flames and when the President has authorized land grabs of indigenous lands. In the United States, Trump's abrupt changes in immigration policy have certainly impacted those in charge of administering immigration services. How have employees at the Immigration and Customs Enforcement Agency personally dealt with conducting mass deportations, separating families, and incarcerating children? As indicated in this article a greater understanding of the existence, work, and struggle of human rights bureaucrats can be surprisingly illuminating.