




The Senate

in the History of Brazil





THE SENATE
IN THE HISTORY
OF BRAZIL

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THE SENATE
IN THE HISTORY
OF BRAZIL

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COORDINATING COMMITTEE

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Estevão Chaves de Rezende Martins

Maria de Nazaré Pinheiro Carneiro

Vinicius Becker Costa

Walderez Maria Duarte Dias

Stelina Maria Martins Pinha

Lídia Glória Testa

Josias Wanzeller

PREPARATION AND TEXT

Eliane Manhães Mendes, Estevão Chaves de Rezende Martins, Lourenço Paulo da Silva Cazarré, Vinicius Becker Costa and Walderez Maria Duarte Dias

REVISION

Dad Abi Chahine Squarisi

GRAPHIC PROJECT

Coordination: Lídia G. Testa

Cover: Cosme Rocha and Josias Wanzeller

TRANSLATION

Maria Isabel de Abreu F. B. Taveira, Istvan Vajda, Patricia de Queiroz Carvalho Zimbres, Theresa Catharina de Góes Campos and Vanira Tavares de Souza. Revised by Vanira Tavares de Souza

PHOTOGRAPHY

Rui Faquini, Adão Nascimento, Célio Alves de Azevedo, Abril Imagens, Agência JB, Agência O Globo and Arquivo Público do Distrito Federal

Federal Senate

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COORDINATING COMMITTEE

João Orlando Barbosa Gonçalves

Glória Maria R. P. de Almeida

Antônio Alberto de Carvalho

Silvana Lúcia R. S. de Matos

Agaciel da Silva Maia

Wilma Costa Ferreira

Editor: João Orlando Barbosa Gonçalves (Gueguê)

Executive-Editors: José Humberto Mancuso and Wilson Ferreira

Assistant Editor: Flávio Antônio da Silva Mattos

TEXT

José do Carmo Andrade (Duque), Sandra Maria de Faria Mattos, Vera Lúcia Dalto Manzolillo, Ricardo Icassati Hermano and Suely Bastos

PHOTOGRAPHY

Rui Faquini

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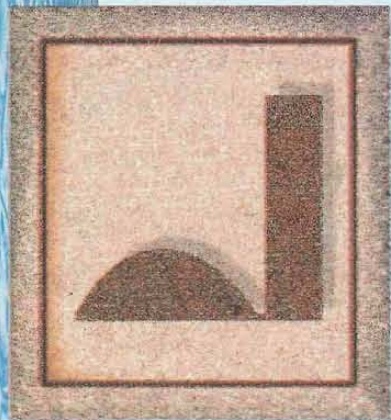
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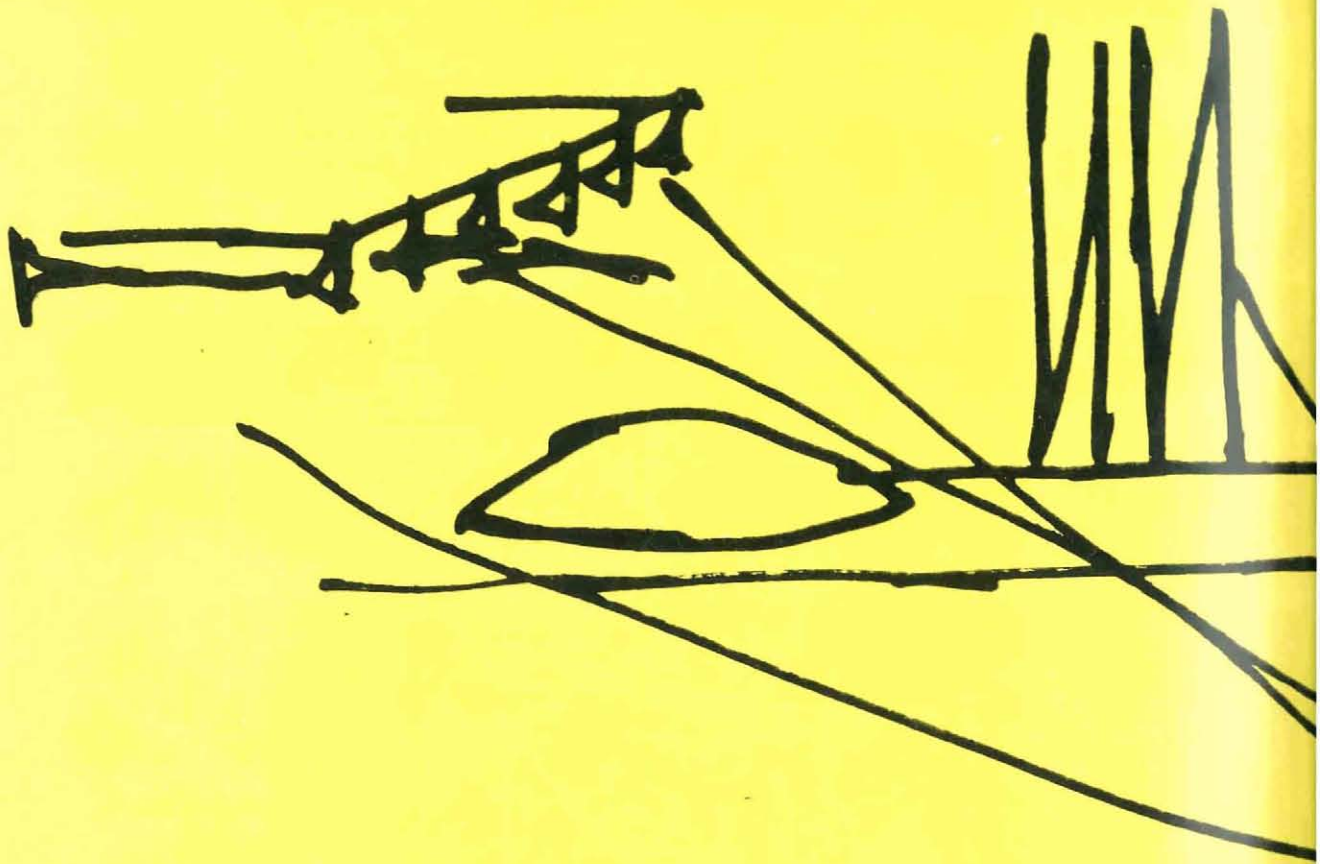
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SYMBOLISM





प्रस्तावना



Sketch for the construction of Brasília, by Oscar Niemeyer



Aerial View of the National Congress

The creators of Brasilia, Lúcio Costa, the urban planner who designed the city, and Oscar Niemeyer, the architect in charge of the design of the major public buildings, had their work recognized since it was inaugurated. But worldwide acclamation came in 1987, when the United Nations Education, Science and Culture Organization (Unesco) considered Brasilia as Cultural Heritage of Humanity.





Aerial view of the Esplanade of Ministries

Lúcio Costa materialized Montesquieu's thesis when he proposed, in his descriptive report, a Plaza of the Three Powers: Executive, Legislative and Judicial, coexisting in a harmonious, and therefore interdependent manner. The Legislative – representing the People – in the middle.



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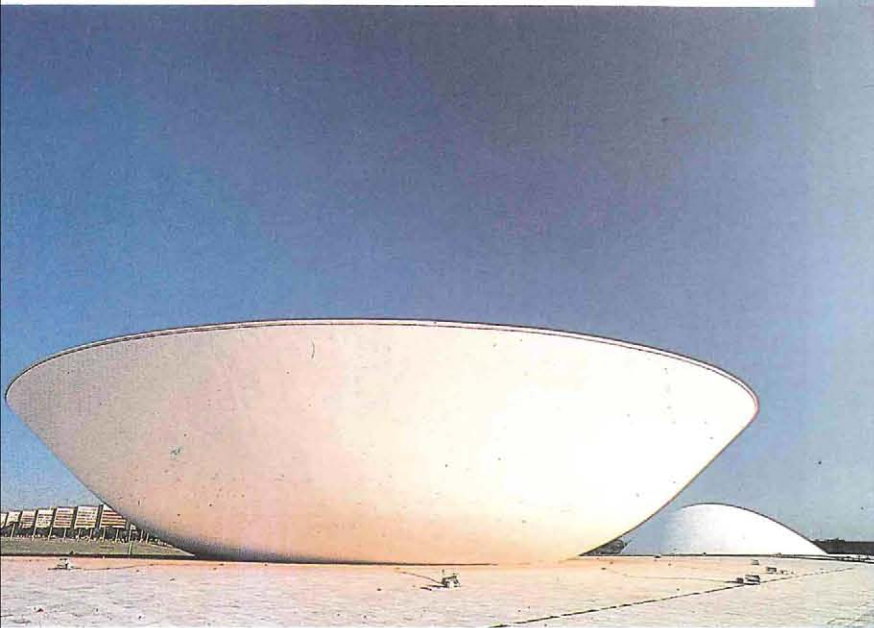
Aerial view of the National Congress

Niemeyer, the architect, enhanced and gave a new dimension to the urban planner. The Legislative – the People – should not soar above, but hover over the scenery of the Plaza, as it hovers over the human scenery, that is, the political scene.

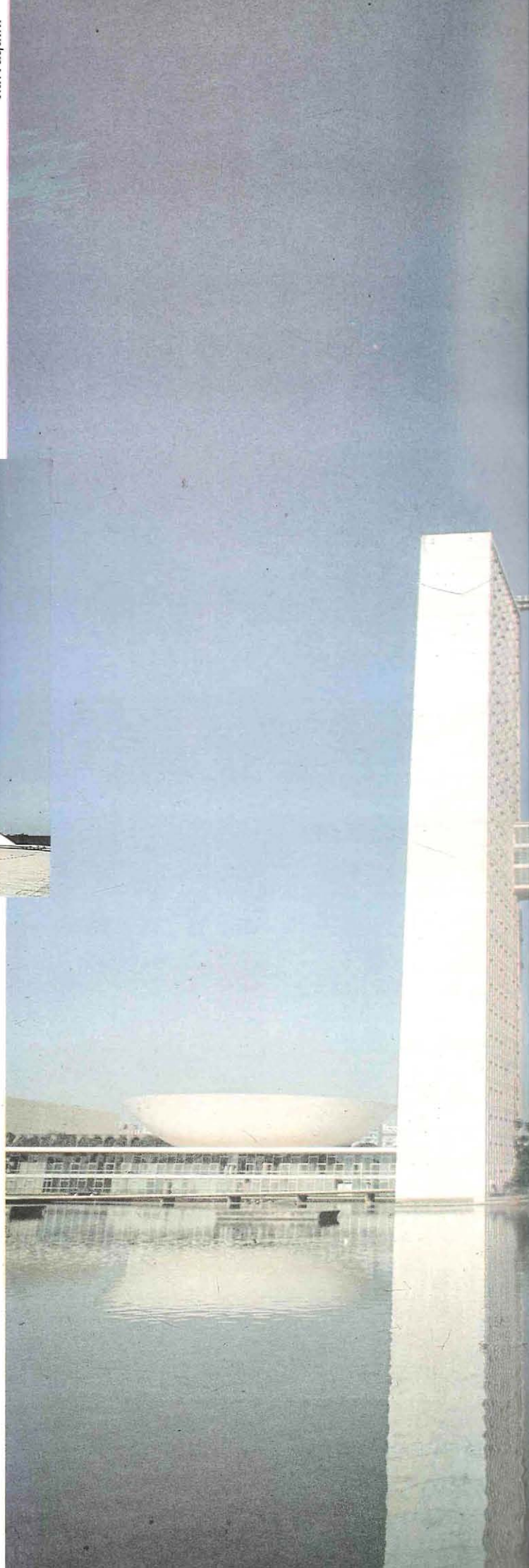


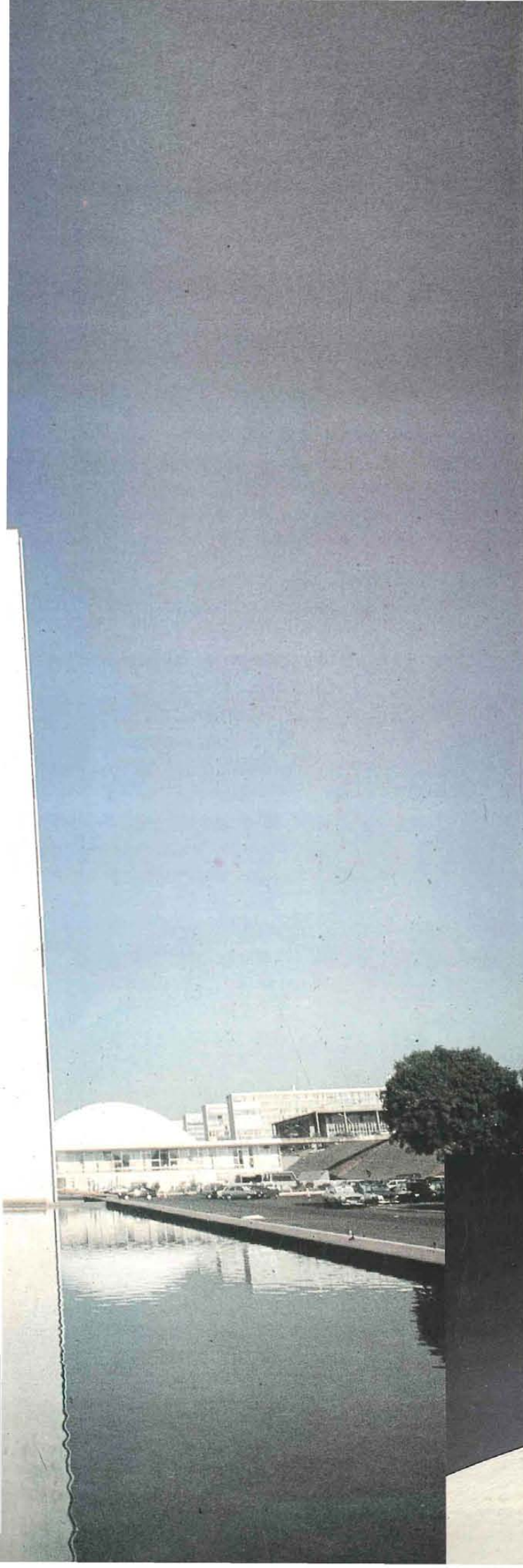
Two towers twenty-eight stories high, almost independent from each other, stand as witnesses to the bicameral system. One of them belongs to the Chamber of Deputies, the other to the Federal Senate. Linked at midheight, they form an H. They unite, sanctioning in reinforced concrete the bicameral system.

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By the side of one of the towers stands the concave dome of the Chamber of Deputies, the larger one, flat on the topmost surface, signifying that its vast vertex is open to the direct impact of all ideologies, of all trends, of all hopes, of all passions coming from the people. Thereby, the Brazilian soul, in its totality, penetrates Congress. Within this dome, debate is livelier, more heated, more thrilling, more popular, in short, younger.





By the side of the other tower stands the convex dome of the Federal Senate, smaller, signifying that, within, reflection, judiciousness, balance, the weight of experience, the responsibility of maturity should prevail. The clamor from the people reaches it through indirect channels, mediated by the States and mellowed by the clashes that took place in the neighboring House. The convex shape of the dome inspires meditation and serenity. And ripe thinking.

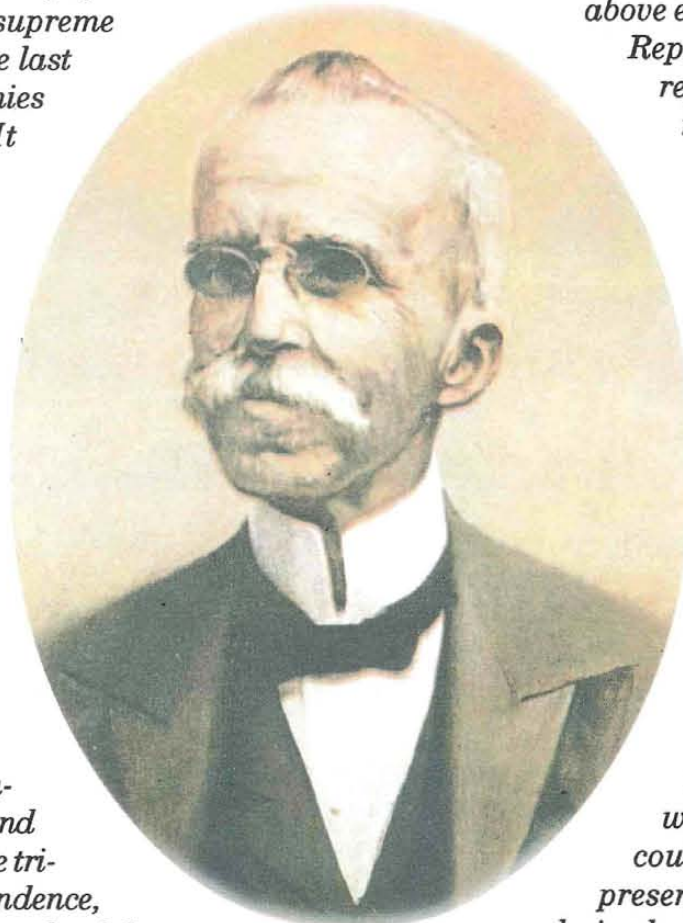
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THE TRIBUNE AND THE ORATOR

In the text below, Senator Pinheiro Chagas emphasizes the value of the Senate's tribune for national life. He praises the orators who gave testimony of beliefs and ideals, in remarkable episodes of the Brazilian history. He underscores Senator Ruy Barbosa, considered as the country's greatest orator of all times.

Learned and famous is the parliamentary tribune, by unlimited right, the supreme court of opinion, the last appeal for the destinies of the nation. It comes from a revered tradition, that acquired vigor along the ages and along so many vicissitudes. It evokes the favor of the old days, it reminds us of past strife in times of glory and of trouble. With its immanent dignity, it still breathes its ancient republican virtue, made of simplicity, of renounce and of disinterest. It is the tribune of the Independence, proclaimed in the words of the Patriarch, spoken in the coercive Courts of Lisbon, so that even the kings, from the height of their power, would have to listen to him. It is the tribune of the Em-



Ruy Barbosa

pire, shaken by the liberal voice of Teófilo Ottoni, in his thrilling crusade for the ideals of Liberty and of the Federation. It is the tribune of the Abolishment of Slavery, set afire by the almost divine eloquence of Joaquim Nabuco, in his apostolic campaign for the liberation of the slaves. It is the tribune of the Republic, serene and fearless, ceaselessly perfecting and purifying itself as it gathered the feelings and resentments of the people. And it is, above all and above everyone, in Imperial or Republican times, the old republican tribune of the magnificent master.

The tribune he loved with the love of those who believe deeply, conferring upon it the sanctity of a civic altar and serving it as a priest serves his God. A tribune so impregnated with his faith and spirit that the lucid preachings of the apostle still echo in it. It is as if we were still listening to his juridical, indomitable and democratic words. It is as if we could still feel his beloved presence, and see that white-haired old man, weakened by the years, fighting for the rights and for the freedom of men. As if Ruy Barbosa still had the floor. (Pinheiro Chagas, 1955, p. 5397)



THE SENATE AND THE FEDERATION



The Brazilian Constitution, promulgated on October 5, 1988, maintains, almost untouched, the tradition of the bicameral system, adopted at the dawn of the nationality and confirmed with the federation introduced by the Republic.

The Legislative Power is exercised by the National Congress, which is composed of the Chamber of Deputies and the Federal Senate. (Article 44 of the Constitution)

It is for sure that the senatorial model dates from thousands of years ago. It came into being in ancient Greece, with the assembly of the citizens who represented the tribes, and it gained consistency in old Rome, where the Council of the Elders generated the name Senate.

However, one must tell apart the ancient from the obsolete. History has demonstrated, that the bicameral system adapts itself to the times, living and subsisting as one of the structural forms of the Legislative Power, in perfect consonance with the process of political evolution.

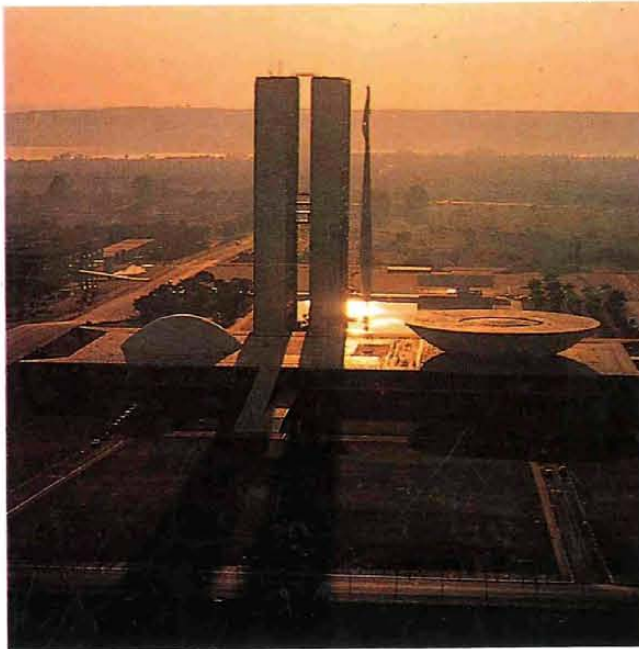
The words of Accioly Filho are worth remembering:

France has gone through a painful experience with the unicameral system, that ultimately led to the bicameral one. Because it adopted the ideas of Rousseau, for whom the sovereignty of the people is indivisible, so the body that repre-

sents it could be no more than one. The revolutionary regime of 1791, as well as the 1793 Constitution, adopted only one Chamber. At last, in the year III, the bicameral system had to be adopted, as a wholesome way of curbing the excesses and the dictatorship of the Commune of Paris. Two chambers were then created: The Council of the 500, or Lower Chamber, and the Council of the Elders, or the Higher Chamber, with 250 members. (Accioly Filho, 1976, page 99)

In Brazil, the bicameral system – the Senate, therefore – is as old as the nationality

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itself, that was cradled, nursed and guided by this system along all of its political, social and economic development. It became established in the First Empire, it gained strength in the Second, and consolidated itself in the Republic.

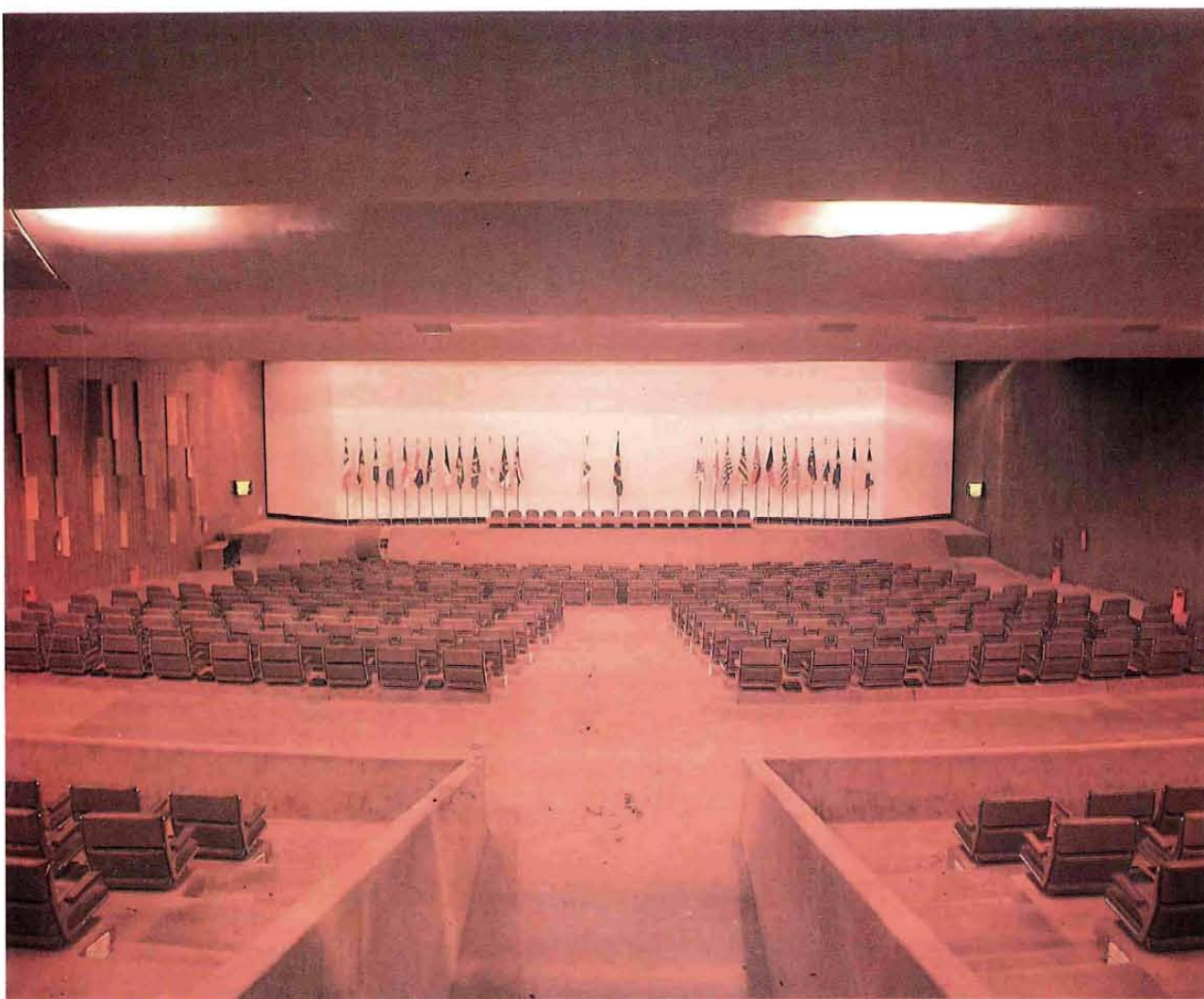
Each nation has reasons of its own to adopt the bicameral system. Those of France, for instance, were to safeguard the fundamental principles of democracy, threatened by

the Commune of Paris.

The Brazilian reasons are of a different sort, although similarly fundamental.

That is, in Brazil, the Senate stands as the guardian of national unity, the forum of regional equilibrium, the sphere where the echo of the voices of the states can be heard.

A country of continental dimensions (8,511,965 km²), Brazil is characterized by a variegated geological, geographical, climatic, cultural, scenic and human composition. The



Petrônio Portella Auditorium, Annex II of the Senate





homo brasiliensis does not have a homogeneous ethnic structure, neither in physical nor in cultural terms. Each region, by its distinctive features of climate, wealth of soil and subsoil, and colonization, has generated human types different in physical appearance, in habits, in mores and in folklore.

At the closing of the Legislative Session of 1951, Afonso Arinos de Melo Franco pictured this diversity of characters that compose the Brazilian nationality, characters which are synthesized and blended together in the National Congress.

With words exquisitely inspired, the distinguished political tribune said:

When I see the representatives of those great plains, of the great Amazonian valley, I can truly feel the presence of that land and of that people. I feel in the voice of those who speak here, representing the Amazonian States, that tellurian landscape, a landscape of the sixth day of creation, of the eve of the resting of the Lord, a landscape of a world being formed, as Euclides da Cunha said, that landscape that brings to mind the greatest of all builders. He who built all and who, as if by a whim, wished to leave the proof of an immature work, an unfinished work that, still incomplete, left His formidable and righteous hands.

When I see my colleagues from the Northeastern States, I think of those

long-suffering and scorched lands. I think of the coloring of that civilization, so filled with the people's soul, a land of great music, of great dancing, of great poetry... I think of the Northeast, of the leather jerkins, of cattle roundups, of the caatinga landscape, and I think of moonlight.

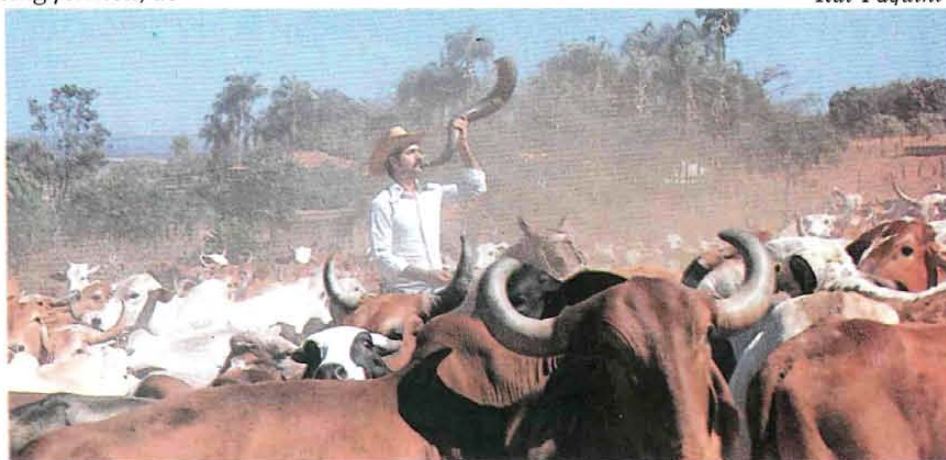
When I see the men who here speak for the Southern States, when I see the men who here incarnate those epopees of heroic deeds, I think of the flatness of the pampas, I think of the winds of heroism that inflated the ponchos, of the galloping of glorious horseback rides, of those bastions of our dignity, of that sentinel of our strength, of that vigilant guard of our honor, that is the Rio Grande do Sul.

When I see the men of the land I come from, of my peaceful province, of my sweet Motherland, Minas Gerais, I think of the landscape typical of our craggy mountains, of our generous hills, with a chapel on top, shining in bright white, and the voice of the bells carrying to the colorful sky, to a sky of blue and rose like the mantle of Our Lady of Sabará, the voice of the earth, in a chant slow and drawling, or garrulous and vivid as that of a band of singing birds who suddenly took flight.

I see Bahia, the old Bahia, tropical Rome, Bahia, Indian Rome, Bahia, Lusitan Rome, Bahia, black Rome; with its hundreds of churches, its bells jingling in praise to the Lord, and its fountains, its portals, its water spouts and its ancient civilization, its intellectual monuments and historic traditions... (Franco, 1965, pages 191-192)

Afonso Arinos limited to the macro-regions his incursion into the varied physical and human landscape of the Brazilian Motherland. In the South, Santa Catarina, with its Italian and German colonization, is a different civilization, situated between Rio

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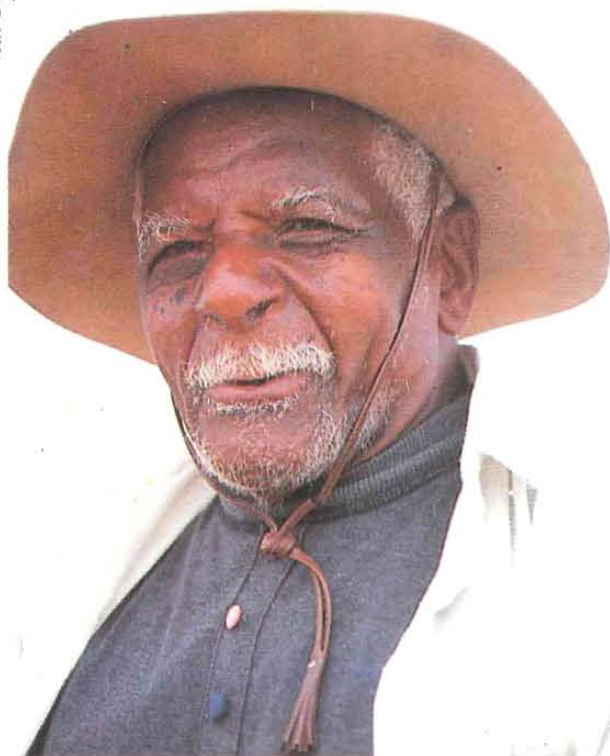


Grande and Paraná. The latter separated itself from São Paulo by mid-19th century, but from São Paulo it has inherited its vocation for development. In the states of Goiás, Tocantins, Mato Grosso and Mato Grosso do Sul, the heritage of the Bandeirantes sprang back to life with unheard-of strength, different, now, only in terms of the riches it takes from the earth: precious metals and stones, in the old days; meat and cereals in the present. Rio de Janeiro is the trademark of Brazil, and the *carioca*, the symbol of the Brazilian people.

This human diversity which is, doubtlessly, an unmatched wealth, carries within the dangerous gene of inter-regional conflicts, that give rise to occasional, but nevertheless worrying separatist theses.

The regional inequalities are the subject of permanent analyses and debate, that result in opposing, and at times conflicting, conclusions and stands. The representatives from the most developed states are of the opinion that the others are too great a burden on their own development, while the poorer states see themselves as exploited by the richer and stronger.

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That is where the Senate steps in, to exercise its role of fundamental importance. It is the link that holds together, in its vertex, in an inseparable embrace, the sheaf of straws, each one representing one State and, all together, the Federation.

Accioly Filho is certainly right when he refers to the Senate as “the House of the Federation:”

Power, in the words of Bodenheimer, is like gas: it tends to expand if it does not encounter an obstacle to detain it. Federation is this obstacle and, for that reason, it is the first victim to fall, when the public freedoms falter and some desire to suppress or to mutilate democracy.

Our forefathers already fought for it during the Empire, more than for the Republic, because in the former they saw the only path to the latter, and the most powerful instrument to curb oppression. The Senate of the Empire was the germ of the Federation and is, nowadays, its House. To respect the Senate means to preserve the Federation, and to tend the Federation means to preclude oppression. (Accioly Filho, op. cit., page 102)

Accioly introduces a new element, yet to be duly analyzed by historians and political scientists – to justify the Senate’s existence, that is, that the Senate represents a safeguard against oppressive regimes. Either for that reason, or because it has become the Seat of the Federation, the arguments in favor of bicameralism gather strength.

Undoubtedly, the Brazilian Legislative Power, even if it does not have the American system as a model, has it as an inspiration. But this is due to the fact that both Brazil and the United States of America are federative, and not unitarian States. And if even unitarian nations adopt the bicameral system as advisable, useful or indispensable, Brazil has adopted it during the Empire, as the counterpart to the Chamber of Deputies, and maintains it in the Republic as an imperative necessity. The Higher Chamber is the balance of national representation in the Parliament. One House represents the people, the other represents the States.

The Constitution prescribes:

Article 45. The Chamber of Deputies is composed of representatives of the people, elected by the



proportional system, in each state, territory and in the Federal District.

Paragraph 1 – The total number of Deputies, as well as the representation of the states and of the Federal District shall be established by a supplementary law, in proportion to the population, and the necessary adjustments shall be made in the year preceding the elections, so that none of those units of the Federation has less than eight or more than seventy Deputies.

Paragraph 2 – Each territory shall elect four Deputies.

Article 46. The Federal Senate is composed of representatives of the states and of the Federal District, elected by a majority vote.

Paragraph 1 – Each state and the Federal District shall elect three Senators for a term of office of eight years.

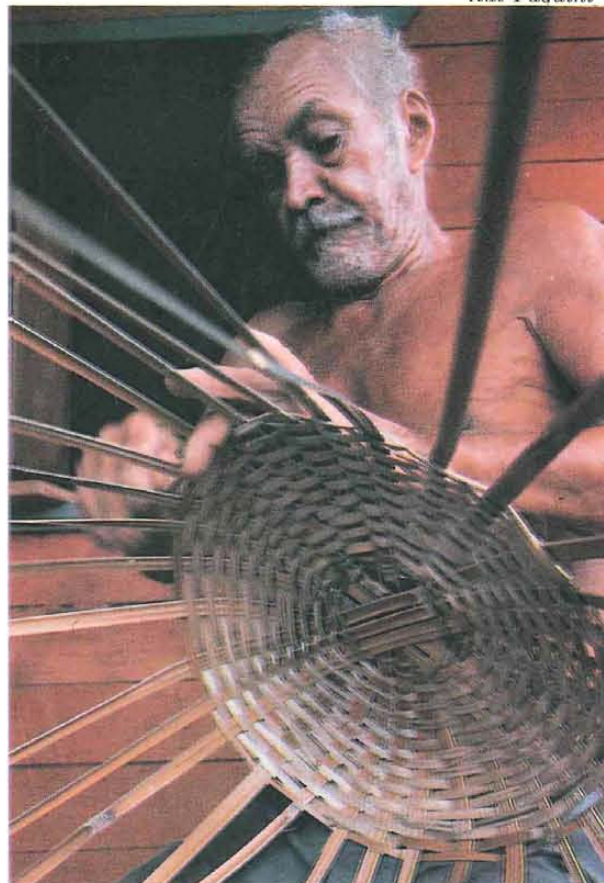
Paragraph 2 – One-third and two-thirds of the representation of each state and of the Federal District shall be renewed every four years, alternately.

In general terms, the more populous units of the Federation are also the richer and more developed and, consequently, the most powerful. The total number of the representatives of the Amazonian states, in the North of Brazil – Tocantins, Pará, Amazonas, Acre, Amapá and Roraima – which occupy an immense, fertile and exceedingly wealthy region (not yet entirely exploited), does not match the number of representatives from the state of São Paulo in the Chamber of Deputies.

In the interregional conflicts of interest – which are not at all rare – the parliamentary union of the five most populous and developed states, situated in the South-Southeast, would lead to a decision detrimental to the interests of the geographical and human majority of Brazil.

For that reason, the Senate, in a federative republic, such as the Brazilian one, acquires such a capital importance. It is, as Afonso Arinos teaches, a legislative body based not on numeric democracy, not on the substantial weight of the electoral majority, but on a presumable juridical equality among all the component elements of the federative ensemble, aiming at the equitable distribution of duties, of responsibilities and of the benefits of the federal legislation, according to the interests of all national regions, taken in their geographic meaning: in a few words, in their historical and human significance.

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THE SENATE
IN THE EMPIRE



Although the Senators were then appointed for life, the Senate of the First Empire performed a significant role in the forming of the nationality. Its members had the preference of Don Pedro I, when the latter chose names for the Cabinet. Historian José Honório Rodrigues (1972, p. 39) reveals that *of the six Ministers who composed Don Pedro's fifth Cabinet (from January 21, 1826 to January 15, 1827), that countersigned the appointment of the Senators, five were appointed Senators, which fact clearly reveals the nature of the choice of Senators. The sixth Minister, General João Vieira de Carvalho, Marquis of Lajes, would be appointed Senator for the province of Ceará in 1829, still in the First Legislature. Since then, the Ministers were always the Senators chosen by Don Pedro, and the Senators were his Ministers.*

In those days, the Senate was ultra-conservative. José Honório notes that *the tenth Cabinet (the last of the First Empire) not only was formed exclusively by Senators, but they all had the title of Marquis.* Nevertheless, the distinguished historian is of the opinion that the Senate of that time performed a considerable task and proved itself "equal to its mission." (Rodrigues, op. cit., p. 47)

During the Second Empire, the Senate achieved even greater importance, having an outstanding and significant performance in the debate on the Regency, in the fall of Feijó, in the recognition of Don Pedro II's coming of age and in the abolishment of slavery. It had, among its members, personalities whose names History writes in gold letters, such as the Viscount of Caravelas, Cairu, Cotegipe, Zacarias, Evaristo da Veiga, the Andradas, Montezuma, Teófilo Ottoni, Ruy Barbosa, Bernardo de Vasconcelos – of whom Milton Campos said he was "the builder, par excellence, of the Brazilian political order, during the troubled times in which he was active" – and so many others.



Bronze sculpture, suggesting a caryatid, from the art collection of the Monroe Palace



Bronze inkstand, with parts made of crystal with ornamental cuttings, purchased by the Viscount of Abaeté, President of the Federal Senate, in 1868

Promulgated on March 25, 1824, the first Constitutional Charter of the Brazilian Empire was worked out by a ten-member Council, directly influenced by Emperor Don Pedro I. According to the 1821 survey, the town of Rio de Janeiro, the seat of the Empire, had 112,696 inhabitants, 55,090 of which were slaves, and approximately 14,000 dwellings. In the so-called urban area of Rio, the slave population corresponded to 84% of the total population.

The political regime instituted by the 1824 Constitution established a monarchic, hereditary, constitutional and representative government. The constitutional text turned parliamentarianism into a modified regime when it conferred on the Emperor the attribution of the Moderating Power. In Brazil, the principles of the separation of Powers, of the representative regime and of legality did

not work in practice, because the Powers were never autonomous. There was not true respect for the representation of the majority nor was the Executive accountable to the Chambers.

The first Brazilian Constitution was decisively influenced by the ideas of Benjamin Constant, especially in what concerned the idea of this fourth "Moderating Power," added to the three separate Powers proposed by Montesquieu, and intended to be "the key to the whole of political organization and exclusively delegated to the Emperor," to whom it was incumbent "to tend for the maintenance, balance and harmony of the other political powers." The practical result was that it gave the Emperor the means to dominate the Legislative, the Executive and the Judicial Powers, coming, on several occasions, to abuses of personal power.

With the adoption of that regime the Legislative Power, constituted of two Chambers – the Senate, or Higher Chamber, and the Chamber of Deputies – was faced with the problem of housing the parliamentarians. It was necessary that the Senate building should have a certain state-likeness, a distinctive facade, that it should be comfortable and that it could be adapted to the needs and peculiarities of legislative work. The Mansion of the Count of Arcos is chosen, the former residence of the man who had been Don Pedro's close friend and advisor. The house was spacious and it fulfilled the requirements: an ample livingroom, that could be converted into the plenary hall, and rooms that could serve as offices for the Senators.

The Count of Arcos Mansion was sited in one of the largest *chácaras* (large estates) in town, in the Campo da Aclamação, formerly Campo de Santana, at the corner of Areal Street. It was a two-storied building, with windows on all sides, of apparently solid construction, comfortable, with ample rooms and very high ceilings, building wood that came from Bahia, airy rooms and servants quarters. The house, that stood out from the neighboring buildings, had been given to the Count of Arcos by the people of Bahia, as a token of their gratitude for their former Governor. It was not just any house: it had nobility and a past. It was appropriate to house the Senate of the Empire. It became known as the Palace of the Senate.

To be a Senator of the Empire was one of the greatest honors a public man could, at that time, aspire to. Elected, as the Deputies were, the Senators had their names approved by the Emperor from a triple list, for a tenured office. Each province was entitled to elect a number of Senators corresponding to half of the deputies elected. In case of an uneven number, that half would correspond to the immediately lesser number. The Constitution got down to the detailed explanation that "the Province that comes to give eleven Deputies, shall give five Senators." In case the Province had only one Deputy, it could also elect one Senator.

Among the requirements to be a Senator, according to the 1824 Constitution,



Carved hardwood chair, dating from 1867, originally from the Monroe Palace

were those of being a Brazilian citizen, being over 40 years of age; and "a person of knowledge, capability and virtue," preference being given to those who had rendered services to the country – and having an annual income of 800,000 reals. The Senator's compensation would be 50% higher than that of a Deputy.

The Senate had the exclusive power of: being informed on the personal misconduct of the members of the Imperial family, State Ministers, State Counselors and Senators, and also of the Deputies' misconduct committed during the legislative period; of being informed on the responsibilities of the State Secretaries and Counselors; of convening the Senate on a special basis, in order to issue a Summons Letter to the Assembly, in case the

Emperor had failed to do so two months after the deadline set by the constitution; and of convening the Assembly upon the death of the Emperor, to elect a Regent.

Starting in the First Kingdom, the Senate has suffered the opposition of the Chamber of Deputies, whose members were elected and had limited terms of office, as to the Senate's life-tenured posts. This opposition was strengthened when parliamentarians and intellectuals, such as Tavares Bastos, Ruy Barbosa and Afonso Celso joined their voices to it. On the other hand, the supporters of the Senate's life tenure, such as Joaquim Nabuco, affirmed that "due to the slow renewal of their cadres, the Senate was in a better position to defend the interests of the minorities against the abuses committed in the more unanimous Chambers. Life tenure in the Senate was of great value when the Chambers met again, after political changes, so that the opposing voices would not be silenced."

The first Senators met for the first time on May 6, 1826, chaired by the Marquis of Santo Amaro, the Master of Ceremonies in Don Pedro I's coronation ceremony. Among the 50 Senators then appointed, four never took



Bronze and beveled crystal lamp, of Portuguese origin (1826), from the Monroe Palace

office. Antônio José Duarte de Araújo Gudim and Leniz Correia Teixeira de Bragança passed away a few days after their appointment. Domingos da Mota Teixeira and Dámaso Antonio Larrañaga – the latter, blind, and a representative of the Cisplatine Province, that seceded from the Empire to become Uruguay – were unable to enter their posts due to reasons of ill health. On the whole, two hundred and thirty-five Senators were members of the Senate of the Empire. The Higher Chamber of the Brazilian Parliament existed from January 22, 1826 (the date of the Decree providing for the issuance of the imperial letters of April 19 of that same year, that served as certificates of appointment for office for the new Senators) to November 15, 1889, when the Provisional Government of the Republic decreed its termination.

The Senate's controversial life tenure made possible that, even in times of crises, the Legislative Power could perform its political function. In 1831, during the episode of Don Pedro I's resignation from the throne, and during the so-called "coming-of-age coup," in 1840, when the Regency dissolved

the Chamber, where the liberal majority called for the anticipation of Don Pedro II's coming of age, it was in the Senate – that was not subject to being dissolved – that the remaining members of the extinguished Chamber met and, with the tacit approval of the “coming-of-age” Senators, acclaimed the Emperor as of age when he was only 14 years, 7 months and 21 days old.

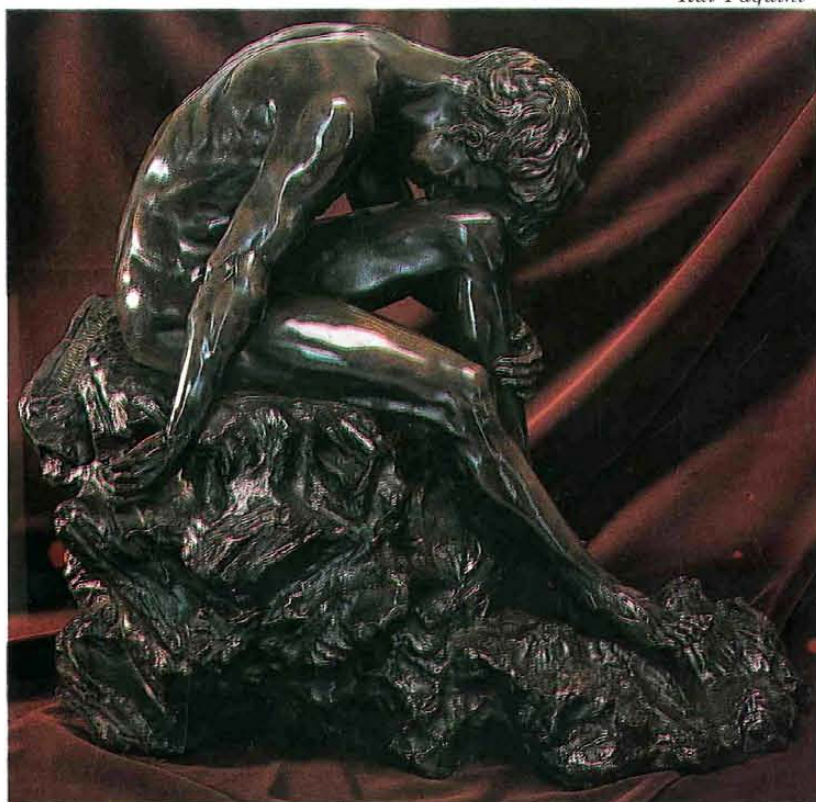
Machado de Assis, the writer, who, in 1860, was a reporter for the *Diário do Rio*, accredited to work in the Senate, tells, in a chronicle published for the first time in 1898, that *life tenure conferred on that House a consciousness of perpetual duration, that seemed as if could be read on the faces and on the manners of its members. They had something of a family, who went their separate ways in the calm seasons, to go to water stations and other amusements, and who, later, got together again, at regular intervals, for years and years on end. Some did not return, and new ones showed up, but also in families there are deaths and births. They always disagreed among themselves, but is the way of large families to fight, to reconcile and to fight again; that seems to be the best proof of belonging to mankind. Back then, the liberal principles were already invoked against the Senate's life tenure, as it had been done before. It is true that some voices, vibrant when on the outside, silenced when inside, but the germ of reform lingered, the programs made room for it, and, as in several other instances, this series of successes turned it into law.* (Machado de Assis, quoted by Brazil. Congress. Federal Senate, 1984, pp. 20-22)

The Senate was also witness to other remarkable events of the nationality. In 1860, in the Senate Palace, the heiress to the throne, Princess Isabel, had her swearing-in ceremony. She did the same eleven years later, as the Regent of the Empire, as well as in 1876 and 1887. From the throne, set on a

preeminent place, spoke Don Pedro I, Don Pedro II and Princess Isabel, opening the Parliament of Empire for twenty legislative sessions. Also therein, liberals and conservatives discussed and settled the most important Brazilian problems, such as the abolishment of slavery.

From its tribune, the great orators,

Rui Faquini



Bronze sculpture, circa 1890, by the French artist Collinet, originally from the Monroe Palace

statesmen of the Empire, counselors and ministers spoke. It was chaired by remarkable men such as the Marquis of Santo Amaro, Bishop Don José Caetano da Silva Coutinho, Bento Barroso Pereira, the Marquis of Inhambupe, the Marquis of Baependi, Diogo Antônio Feijó, the Marquis of Paranaguá, the Marquis of Valença, the Marquis of Monte Alegre, the Marquis of Lajes, Baron of Monte Santo, the Marquis of Sapucaí, Baron of Pirapema, Viscount of Abaeté, whose term of office was of twelve years (from 1861 to 1873), Viscount of Jaguaribe, Baron of Cotegipe, Earl of Baependi, Viscount of Sinimbu, Viscount of Serro Frio, and Paulino José Soares de Sousa, the last President of the Senate of the Empire.

THE SENATE AND THE
ABOLISHMENT
OF SLAVERY



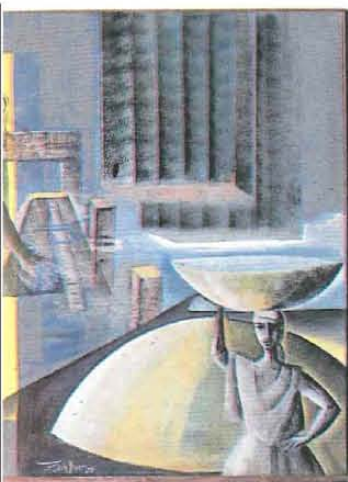
Reproduction Rui Faquini



"The Golden Act" – Panel by Rubens Zevallos, 1979



Among all the events that marked the Senate's performance during the Empire, the most significant, undoubtedly, from all standpoints, was the Abolishment of Slavery. And not only due to the humane and economic aspects at stake, but also because the fact



echoed widely in the Parliament, as a legislative process, a conquest of the law and of legality. It was within the Senate that the abolitionist cause found the necessary conditions and also its staunchest, most courageous, most committed and most competent

supporters. Men such as João Severiano Maciel da Costa, the Marquis of Queluz; José Bonifácio de Andrada e Silva; Senator Dantas; Antônio Paulino Limpo de Abreu, Viscount of Abaeté; Euzébio de Queiroz Matoso Câmara; Antônio Prado; Ruy Barbosa and José Maria da Silva Paranhos, Viscount of Rio Branco, gave substance to the cause and dignity to the institution.

Paradoxically, the end of slavery, in Brazil, found one of its most important footholds in the controversial Senate's life tenure. In that scenario of monarchist centralism, worsened by a limited and imperfect electoral mechanism, the Senators' life-tenured offices became an advantage for the abolitionist cause. Only the tenured Senators' independence from any sort of political interest could afford a sector of the elite of that time the possibility of extinguishing the slavery model without resorting to bellicose means.

The abolitionist movement went through several stages. The word *abolishment* does not encompass all of the process of the liberation of slaves in Brazil. *Abolishment* is not the same as *emancipation*. The emancipation of the slaves is nothing other than their liberation, under conditions of economic order, from their obligation to serve their former masters, as well as other types of agreements used in other countries. In Brazil, what was proclaimed was the Abolishment, meaning unconditionally and immediately setting the slaves free.

In his book, *Memoirs on the Necessity of Abolishing: the Introduction of African Slaves in Brazil...*, published in 1821, Senator João Severiano Maciel da Costa demonstrated the unfeasibility of the progress of agriculture through the methods of slave work and proposed the immigration of workers and the liberation of the slaves. In the Constituent Assembly of 1823, José Bonifácio de Andrada e Silva proposed the adoption by Brazil of the model being used in the United States: encouraging the European immigration and setting the slaves free.

In Brazil, the process of the Abolishment actually started in 1830, when the Brazilian Government entered into an agreement imposed by England, in which Brazil committed itself to abolish slavery within fifteen years. In 1831, the law prescribing the same objective established in the agreement was passed, but neither were complied with, and the slave traffic, that should have been repressed without delay, went on indiscriminately. The English unwarrantedly claimed the right to control and to fight the slave traffic on the Brazilian coast, coming to the point of killing innocent persons inside the Guanabara Bay. The episode resulted in a note of protest by the Brazilian government, written by the Minis-

ter of Foreign Affairs, Antônio Paulino Limpo de Abreu, Viscount of Abaeté, who, on a different occasion, was President of the Senate.

It was imperative to abolish the slave traffic, and another Senator, Eusébio de Queiroz Matoso Câmara, the head of the Conservative Party, took the task upon himself. A man of wide-reaching and progressive ideas, Eusébio was still a deputy when he created the law that prohibited the importation of slaves. But it was in 1851, already in the Senate, that he accomplished his great work of fighting the slave dealers. It was as a Senator and Chief of the Cabinet that Eusébio led the administration that really fought the traffic, setting the police to search the large plantations to find out where the illegally imported Negroes were, requiring the presentation of documents and jailing the offenders. He expelled from the country the slave dealers, most of them foreign, who had imported in large scale during the preceding years. With the repression determined by the Senate, the traffic came to an end, and Eusébio de Queiroz worked out the law and took it upon himself to enforce it.

The strife to bring about the Free Womb Act came soon afterward, orchestrated by Senator José Maria da Silva Paranhos, the Viscount of Rio Branco. Another battle against those who still wished to retain slavery as the driving force of the economy, and those who systematically opposed abolishment, with no criteria other than party considerations. The Liberal Party, that represented the forces that

pressed toward change, opposed the Free Womb Act for no reason other than the fact that it was introduced by the conservative Senator Pimenta Bueno, Marquis of São Vicente, and supported by all his party colleagues. The Viscount of Rio Branco, at the Emperor's request, led with an iron hand, within the Senate, this fight for the passing of the Law.

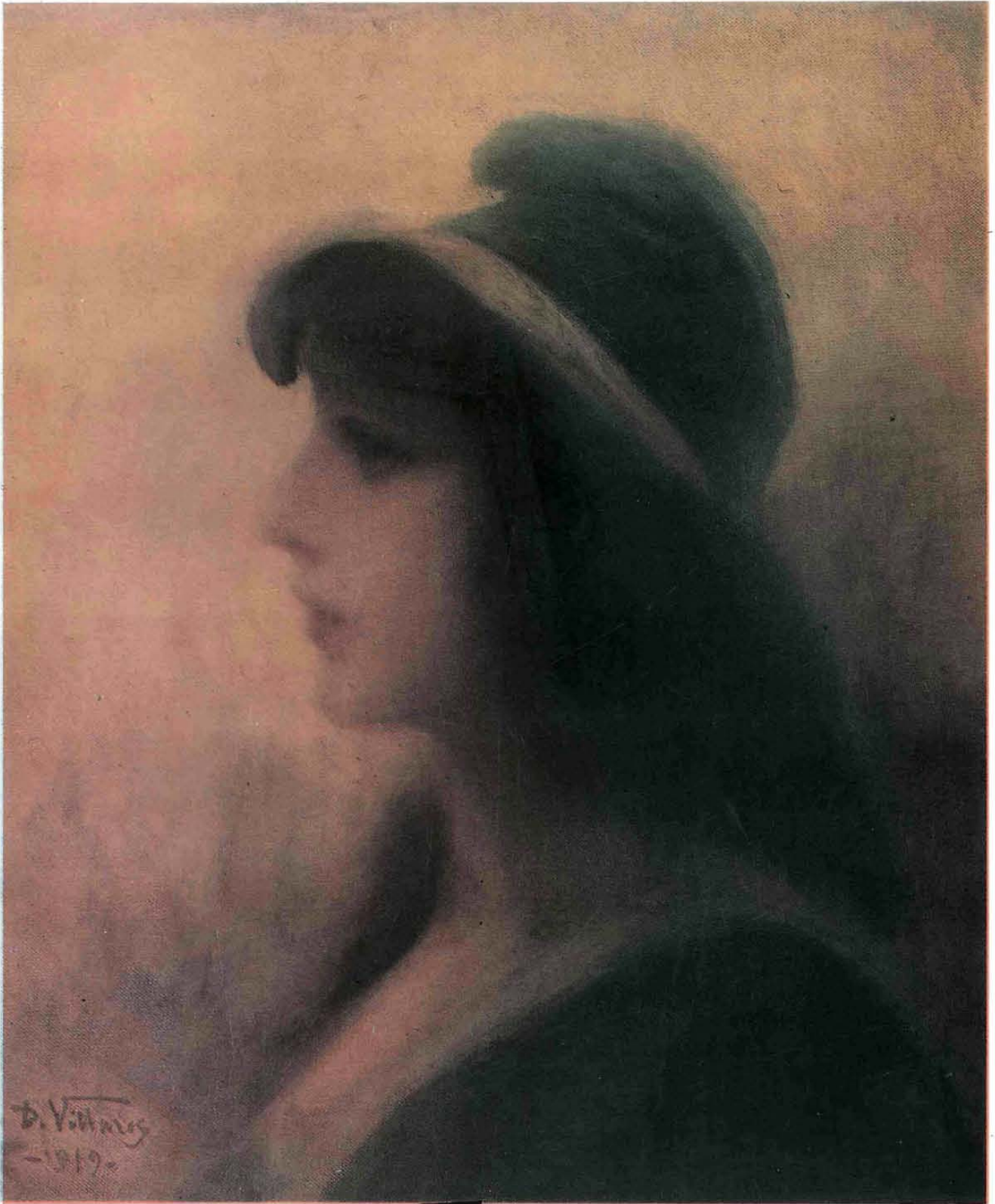
Prior to the Abolishment, the Sixty-year-olders Act was passed (1885), which was introduced by the young Deputy Ruy Barbosa, jointly with Senator Dantas, bringing renewed energy to the abolitionist movement, that, at the time, was giving signs of slackening. A great mobilization got under way, in the towns and in the country. Journalists, land-owners, writers, artists, musicians, the people and the politicians joined hands to fight for the cause, truly subverting the country as a whole against slavery.

Senator Antônio Prado, who opposed Abolishment, joined the forefront of the abolitionist movement. Coming from a lineage of land-owners, Antônio Prado realized the implications of the situation, filled his properties with Italian immigrants as paid labor and introduced a bill proposing abolishment with financial compensation. Pressed by the impetus of the abolitionist movement and driven by the Chief of the Cabinet, Senator João Alfredo Correia de Oliveira, the bill evolved into an unconditional abolishment, being introduced on the 9th of May. It went through the procedures in only a few days and on May 13, 1888, it was acclaimed and signed by Princess Isabel.



THE SENATE
OF THE REPUBLIC





"Lady from the Republican Times," by Décio Villares, 1919

Once the Republic was proclaimed, on November 15, 1889, the Provisional Government issued, on December 21 of that same year, Decree nº 78-B, consisting of only three articles. The first article set the date of September 15, 1890 for the general elections, to be held throughout the Republic, for the Constituent Assembly, composed of a single Chamber, with its members elected by choice from lists in each one of the States. The second article provided that the meeting of the Constituent Assembly would take place two months later, in Rio de Janeiro, the nation's capital. And, the last one merely revoked all provisions to the contrary.

Concomitantly, the Provisional Government instituted a special committee, formed by personalities representative of the republican campaign, to work out the draft of the Constitution, that would summarize the constitutional ideas of the former government, and on which basis the future Constituent Assembly would deliberate. The so-called Five Men Committee was chaired by Joaquim Saldanha Marinho and the other members were Américo Brasiliense de Almeida Mello, Vice President; Antônio Luís dos Santos Werneck, Francisco Rangel Pestana and José Antônio Pereira de Magalhães Castro. The government's draft was so thoroughly revised and improved by Ruy Barbosa that the latter, himself, did not hesitate to claim the credit for it, which resulted in a serious controversy.

On June 22, 1890, Decree nº 510 was published, with the Constitution of the United States of Brazil as set out by the Provisional Government, which, coming into force immediately, altered the nature of the exclusive and unicameral Constituent Assembly, establishing dual Chambers and constituent powers, besides altering their composition, election and function. By means of this decree, the former dates being maintained, the National Congress was convened, with the purpose of

bringing in special powers from their constituencies, so as to appraise the Constitution that the Provisional Government had published, and which would be the first matter to be examined by them.

Paragraph 1 of Article 1 of the Temporary Constitutional Provisions established:

This Congress shall receive from the constituency special powers to express the national will regarding this Constitution, as well as to elect the first President and Vice President of the Republic.

Other alterations were introduced in the Constitutional Draft by the Provisional Government, such as Decree nº 914-A, of October 23, 1890, in which the Constitution published on June 22 was replaced by a new text, "depending on the approval of the future Congress." After being completed, the draft was taken by Ruy Barbosa to Deodoro da Fonseca, to be signed and forwarded to Congress. The Head of State minutely examined the document and, not finding what he was looking for, asked:

Where is the article that authorizes the President to dissolve the Parliament?

Ruy Barbosa explained to him that such a provision should not exist in the Constitution of a presidentialist regime, to which Deodoro objected:

So be it. But you will someday leave Congress, just as Antônio Carlos left in 1823, bowing to the majesty of a gun.

And he signed the Decree.

Formed by 205 deputies and 63 Senators, the first Constituent Assembly of the Republic was installed on November 15, 1890, in the Quinta da Boa Vista Palace, chaired by Felício dos Santos. The issue that took most of the session was the reading of the message by Deodoro da Fonseca, Head of the Provisional Government, addressed to the National Congress. That document



"The Signing of the First Republican Constitution," by Gustavo Hastoy, 1891, a work donated to the Federal Senate by the Portuguese Beneficent Association of Rio de Janeiro



justified the institutional changes determined by the introduction of the Republic, asked for the federalist union to be maintained, criticized the monarchic institutions and praised the political parties. On November 22, 1890, the National Congress appointed a constitutional committee to express their views on the draft forwarded by the Provisional Government, containing the alterations set out by Decree nº 914-A. The Twenty-One Men Committee was then elected, in which each member represented one state.

Without making any significant additions or alterations to the Provisional Government's text, worked out by Ruy Barbosa, the Twenty-One Men Committee presented its first opinion on December 10, a little over two weeks after having started to examine it. The committee worked until February 21, 1891, when it submitted the final draft of the Constitution, which continued as the subject of debate until February 23, the eve of its solemn promulgation, on February 24, 1891. The National Congress, according to a temporary provision, elected for a four year term of office the President and the Vice President of the Republic, the Marshals Deodoro da Fonseca and Floriano Peixoto, respectively.

In the Senate, life tenure was abolished and that House took on new functions. Many of the Senators who belonged to the Senate of the Empire returned to public life, entering either the Chamber of Deputies or the Senate. The Constituent Congress of 1890 had met in the Quinta da Boa Vista Palace, the residence of the Emperor, being isolated from the people, who, formerly, used to attend the sessions. After the Constituent Assembly, it returned to its old headquarters – the Conde dos Arcos Palace.

The Senators, in the proportion of three for each State, were elected for a term of office of nine years, through universal suffrage, the same as the Deputies. The compensation, that during the Empire was 50% higher than that of the Deputies, was, from then on, equal to that of the members of the other House. The minimum age to run for a

seat in the Senate decreased from 40 to 35 years, and the exclusive competence of the Senate was restricted to judge the President of the Republic and the other federal officials referred to in the Constitution, in the terms and in the manner therein prescribed. According to the constitutional formula adopted, the Vice President of the Republic presided over the Senate. So, the first President of the republican Senate was Marshal Floriano Peixoto.

As in all reforms of a political regime, the first years of the Brazilian Republic were tumultuous. The interplay of pressures generated crises that resulted in the closing of the National Congress, on November 3, 1891, by a decree of the President, Marshal Deodoro da Fonseca. The gun threat came true. The closing was repudiated by the parliamentarians, but it was supported, at first, by the heads of the State governments. Later on, focuses of resistance against that act of force sprang up in several States, led by São Paulo, Rio de Janeiro and Pernambuco. The Navy and the Army joined the movement, resulting in Marshal Deodoro da Fonseca's resignation.

These were the circumstances in which the Senate took on the role of the herald of the various currents of opinion which fought for and typified the new balance of power. Gradually, the Senate became the stronghold of the leaderships with actual power in the States, occupying the space left vacant by the titled aristocracy. Marquises and Viscounts gave way to the "colonels" (political chiefs in the hinterlands), lawyers, engineers and doctors. The federative principle was in the process of consolidating itself. In the early days, the group of Senators known as the "Kindergarten," headed by Davi Campista and Silva Jardim, exerted a significant influence.

The political role of the Senate asserted itself, as the legislative activities developed in that House became more intense. The great legal work of that period was the Brazilian Civil Code, a piece whose elaboration involved all of the Senate's cadres and sparked one of the most breathtaking polemics ever

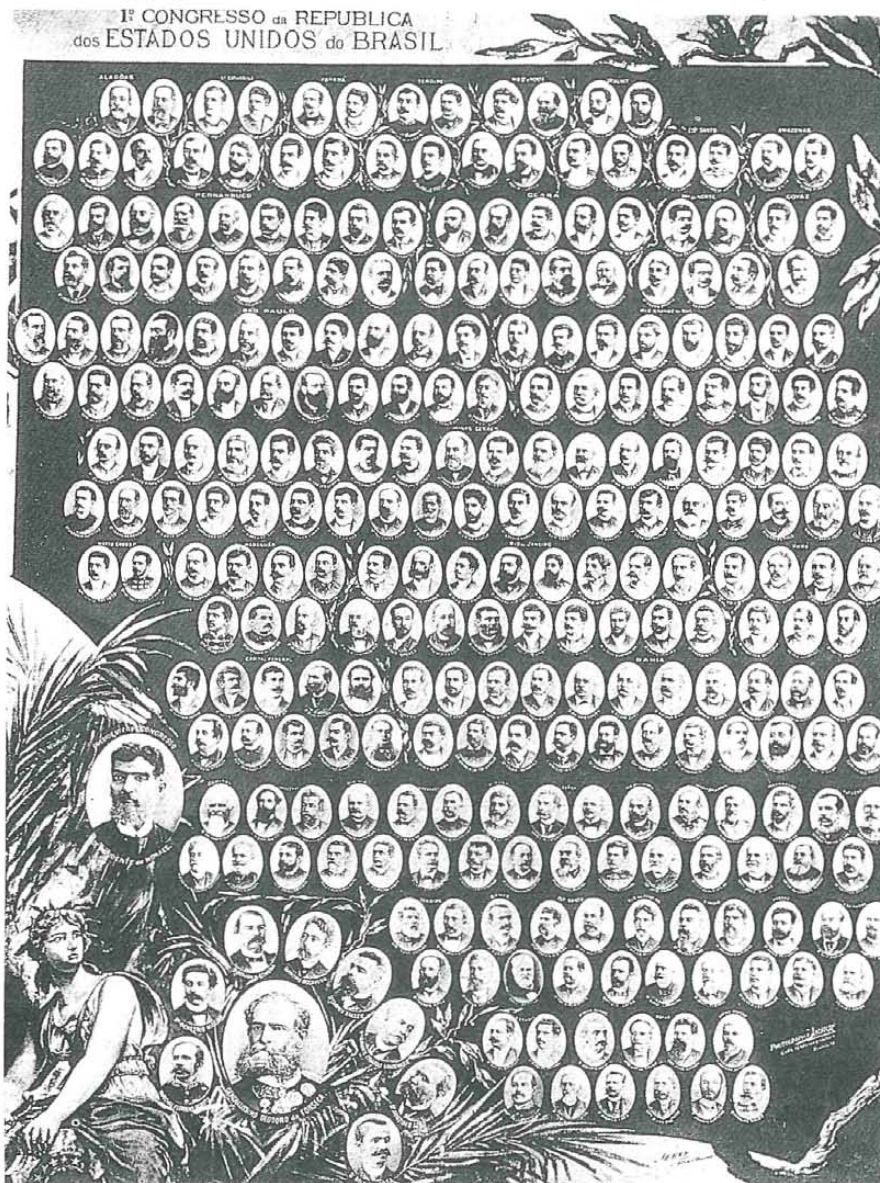
witnessed by the nation. The controversy was about intricate and, at times, subtle rules of the Portuguese language, related to the grammatical revision of the Civil Code text. The leading figures in this polemics were the jurist, politician, writer and Senator Ruy Barbosa, and Professor Ernesto Carneiro Ribeiro.

The Senate had an effective participation in all of the fundamental problems faced by the republican government, in search of solutions for issues such as the financial healing of the Campos Salles and Rodrigues Alves administrations; the issue of the mandatory vaccination defended by Oswaldo Cruz; and the participation of Brazil in the First World War.

Ruy Santos (1976, page 20) notes that *under the regime instituted by the 1891 Constitution, the Senate was a House of greatness, with members of the first quality and where debates of the highest level took place. Among those who performed an outstanding role, at the tribune and outside it, he*

puts particular emphasis on the names of Ruy Barbosa, Campos Salles, Prudente de Moraes, Pinheiro Machado, Epitácio Pessoa, Quintino Bocaiúva, Wandenkolk, Ramiro Barcelos, Cesário Alvim, Amaro Cavalcanti, Saraiva, Barbosa Lima, Lauro Sodré, Colares Moreira, Félix Pacheco, Francisco Sá, Tomás Acioli, Tavares de Lira, Tobias Monteiro, José Augusto Bezerra de Medeiros, Coelho Lisboa, Rosa e Silva, José Maria Belo, Costa Rego, Martinho Garcez, Graco Cardoso, Gilberto Amado, Manuel Vitorino, Luiz Viana, Seabra, Muniz Sodré, Luís Alves, Costa Figueiredo, Saldanha Marinho, Aristides Lobo, Silva Trovão, Alcindo Guanabara, Irineu Machado, Paulo de Frontin, Sampaio Correia, Rodrigues Alves, Francisco Glicério, Washington Luís, Manuel Vilaboim, Afonso de Camargo, the poet

Luís Delfino, Celso Baima, Ramiro Baccalar, Vespúcio de Abreu, Flores da Cunha, Joaquim Felício dos Santos, João Pinheiro, Raul Soares, Antônio Carlos, Artur Bernardes, Olegário Maciel, Leopoldo Bulhões, Amaral Coutinho e Azeredo.



Panel picturing the Parliamentarians of the First Congress of the Republic of the United States of Brazil

THE GAP OF THE THIRTIES

The Old Republic dies with the 1930 Revolution and with Getúlio Vargas' rising to power, as the head of the Provisional Government. The revolutionary movement, sparked to improve the democratic system – namely, to eliminate the shortcomings of the electoral process – ends up by stifling democracy.

By means of Decree nº 19,398 of November 11, 1930, Getúlio Vargas dissolves the National Congress, the Legislative Assemblies and the Municipal Chambers, and rules in a dictatorial manner. It was only after the aborted constitutionalist revolt of 1932 that Vargas agreed to schedule for May 3, 1933, through Decree nº 21,402, the elections for the National Constituent Assembly. Installed on January 15, 1933, this Assembly abolishes the bicameral system, attributing to the Chamber of Deputies alone the competence to exert the Legislative Power.

Ruy Santos' testimony on this period is conclusive:

The 1930 Revolution dissolved, however, this highly important Senate (that of the Old Republic). And, once the democratic practice was reestablished, the 1934 Constitution failed the Brazilian tradition. This was a result of the worldwide trend towards the unicameral system, starting after World War I. It was the onset of communism, the first one of the forces opposing democracy, that would soon be followed by fascism and nazism. The crisis of democracy was under way. It was the decay of democracy, repudiated by George Bardeau who, nevertheless, testified that "the decline of the Parliament is nowadays a commonplace theme in the political literature." The decline of that Power, however, is a consequence of the decay of democracy. The strengthening of the Executive Branch results from the examples of personal power, springing up all over the world, or of this same world being in too great a hurry. Parliamentarianism becomes stunted, as it happened in France. The "tenentismo," a movement started in 1930 by the lieutenants, assisted by jurists such as Levi Carneiro – thus proceeded to the importation of ideas, and to fight for the suppression of the Senate in the 1934 Constituent Assembly. Alcântara Machado, from São Paulo, faced a practically single-

handed battle against such backlash. He fought with ardent vigor. The Senate was then retained, but merely as collaborating body to the Chamber of Deputies, which "exerted the Legislative Power." The Senate's competencies were relegated to articles 88 and the following of chapter V, on the Coordination of the Powers, which prescribed that the Senate would have two representatives for each State and the Federal District, elected by universal suffrage (as it happened, the only Senators then elected were chosen by the State Assemblies, complying to article 3 of the Temporary Provisions). It would have been much better if, in those days, there had been no Senate at all. Not even while functioning as a Permanent Session, during the intermission between legislative sessions, it was equal its task, failing grievously when it had to deliberate upon the arresting of deputies. The 1934 Constitution lasted no longer than 1937, when the New State began and issued a new Constitution. (Santos, op. cit., pp. 22-23)

The Constitution issued by decree, in 1937, in its article 38, prescribed that the Legislative Power is exercised by the National Parliament, with the collaboration of the National Economic Council and of the President of the Republic.

But the aberration went further, since paragraph 1 of article 38 prescribed that the National Parliament is composed of two Chambers: the Chamber of Deputies and the Federal Council.

The Senate, as a legislative house, was thus abolished, taking bicameralism along with it. Furthermore, according to article 50, the Federal Council should be formed by the representatives of the States, one for each unit, plus ten members appointed by the President of the Republic.

Fortunately, this caricature of a Parliament never functioned, since article 187 prescribed that the imposed Constitution should be submitted to the people in a referendum. Getúlio Vargas had the decency of restraining from doing so.

That was for the better. The Senate and the Chamber of Deputies were extinguished, had their doors closed by the discretionary powers, but did not come out humiliated.





Session of the National Constituent Assembly, April 1946





Plenary Hall of the Senate, Monroe Palace



NEW TIMES IN
THE SENATE



When Getúlio Vargas was overthrown, in 1945, Brazil and democracy met again. The 1946 Constitution restated the principle of the harmonious interdependence of the Powers. The bicameral system was confirmed by the Magna Carta and the Senate, once more, assumed its role as the House of the Federation.

At the end of the administration of Marshal Eurico Gaspar Dutra, from 1946 to 1950, Getúlio Vargas is democratically elected President. From then on, Brazil is swept by political turbulence. From the end of 1953 on, the political situation deteriorates rapidly. On August 5, 1954, in the Toneleros Street assault, journalist Carlos Lacerda, Vargas main critic, was wounded, and Air Force Major Rubem Florentino Vaz dies. On August 24 Getúlio Vargas commits suicide. His Vice President, Café Filho, accedes to the post, promising a transition government. In October 1955 Juscelino Kubitschek and João Goulart are elected President and Vice President, whose inauguration is ensured by “preventive counterattacks,” led by General Henrique Teixeira Lott, between November 11 and 21. Kubitschek’s successor, Jânio Quadros, is elected in 1960. On August 25, Jânio Quadros resigns after seven months as President. The taking of office of Vice President João Goulart is opposed by the Armed Forces. Goulart takes office only on September 7, after a conciliating solution is reached – the adoption of the parliamentary regime. His administration comes to an end in March, 1964, when he is overthrown by a military coup.

The Senate’s performance was outstanding in the outcome of all these crises.

The Chamber of Deputies was the stage to the long debates concerning Getúlio Vargas’ personality and also on the consequences of the Toneleros Street assault. It was also in that House that the thesis that

Juscelino Kubitschek should not be allowed to enter office on account of his not having attained absolute majority in the elections of 1955 was accepted by the opposition parties, led by the National Democratic Union (UDN), whose group nicknamed “The Musical Band” became famous.

That thesis was accepted by President Café Filho, who counted with support from the military. Café Filho was hospitalized on November 10, with cardiovascular problems. The President of the Chamber of Deputies, Carlos Luz, took office, and his first measure, on November 11, was to dismiss the Minister of the Army, General Henrique Duffles Teixeira Lott. The latter, suspecting that the present government had the intention of preventing the President-elect from taking office, ordered the troops and the tanks to take the streets and deposed Carlos Luz, in which decision he had the approval and the collaboration of General Odylio Denis, Commander of the First Army. On November 21, Café Filho was not allowed to reenter the Presidency.

The military coup, described by Lott as a return to the constitutional rules in force, had no intention of impeding the democratic process. Thus, the President of the Senate, Nereu Ramos, the next in the line of succession, was called to the Presidency.

Nereu Ramos belonged to the Social Democratic Party (PSD) of the State of Santa Catarina. He had been a dissident voice within that party, opposing the nomination of Juscelino Kubitschek. But his personality was one of honesty, integrity and patriotism, and he ensured the atmosphere of tranquility, indispensable for the taking of office of the President-elect.

In 1961, another President of the Senate would again play a decisive role in ensuring normality, in the episode of Jânio Quadros’ resignation. The new administration was only seven-month-old, when the country was taken





The President of Congress, Senator Auro de Moura Andrade, reads the letter of resignation of the President of the Republic.

aback by the disclosure, by Carlos Lacerda, a former ally of Quadros and Governor of the State of Guanabara, that the President himself, together with his Minister of Justice, Oscar Pedroso Horta, were plotting a *coup d'état*, with the intention of forcing a dictatorial regime upon the country.

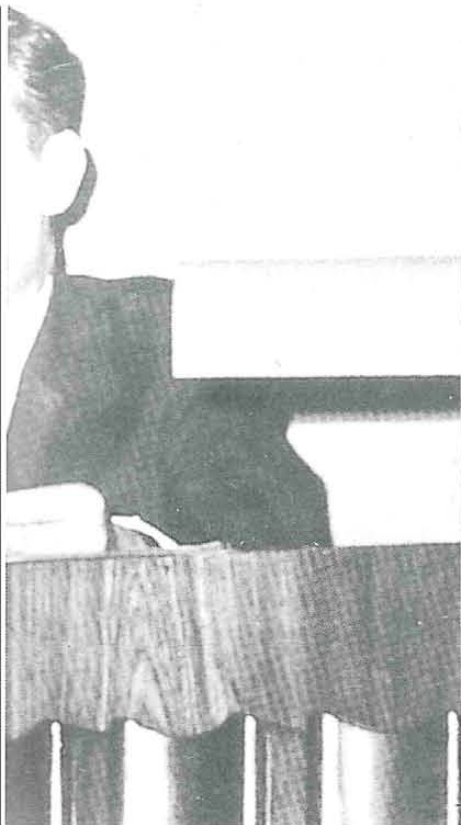
Pedroso Horta was summoned by the Chamber of Deputies to testify and explain the matter. He obeyed the summons on August 25, not for giving testimony, but to deliver the President's letter of resignation. He was taken by surprise by the attitude of the President of that House, Senator Auro Moura Andrade, who read the declaration in a joint session, thus consummating, according to the prescription of the Constitution, the removal of Quadros. He argued that a resignation is an act of will and is not to be discussed. It is complete and consummates itself.

Moura Andrade's swift action removed Jânio Quadros from the scenery of the crisis, preventing him from materializing the coup denounced by Lacerda. According to the testimony of witnesses to the episode, Jânio Quadros believed that Congress, thunderstruck by his resignation, would clear the

way for his return to office, with more ample powers being conferred on him.

The National Congress met in a joint session on September 7, and Moura Andrade presided over the taking of office of Vice President João Goulart, after two weeks of anxious negotiations with the military Ministers who, on account of suspicions of a political and ideological nature, desired to prevent the Vice President not only from taking office, but also from returning to Brasilia from an official visit to China, where he was at the occasion of Quadros' resignation. The impediments were resolved in a roundabout manner, by means of a conciliatory formula devised by Congress, whereby Goulart's taking of office was ensured, although with limited powers, through the passing of an additional act to the Constitution, instituting parliamentarianism. Having as Rapporteurs the then Deputy (later, Senator) Nelson Carneiro and Senator Aloysio de Carvalho, representing their respective Houses, the proposal went through the procedures in only ten days, since it was specifically aimed at solving the crisis.

However, the peace thus attained proved to be no more than a respite, as Moura Andrade registered in his memoirs:



The Parliament had transformed the regime, with the precarious consent of João Goulart himself, who was away from Brasília, where the resignation crisis was happening. This did not carry the promise of a bright future, although it seemed to please everyone: the Armed Forces, that did not leave the episode totally defeated; and Congress, who did not leave the episode totally victorious. (Andrade, 1985, p. 89)

João Goulart's taking of office had an important result, in terms of the widening of the prerogatives of Congress. Until then, the National Congress was chaired by the Vice President of the Republic, for whom an office was reserved in that House. From then on, this post was held by the President of the Senate, and this situation was instituted by the Constitution, putting an end to the contradiction of the Legislative Power being presided by the eventual Head of the Executive Power. The first Senator to enjoy this new situation was Auro Moura Andrade, who was the Senate's President from 1961 to 1967, being reelected for that post throughout that period.



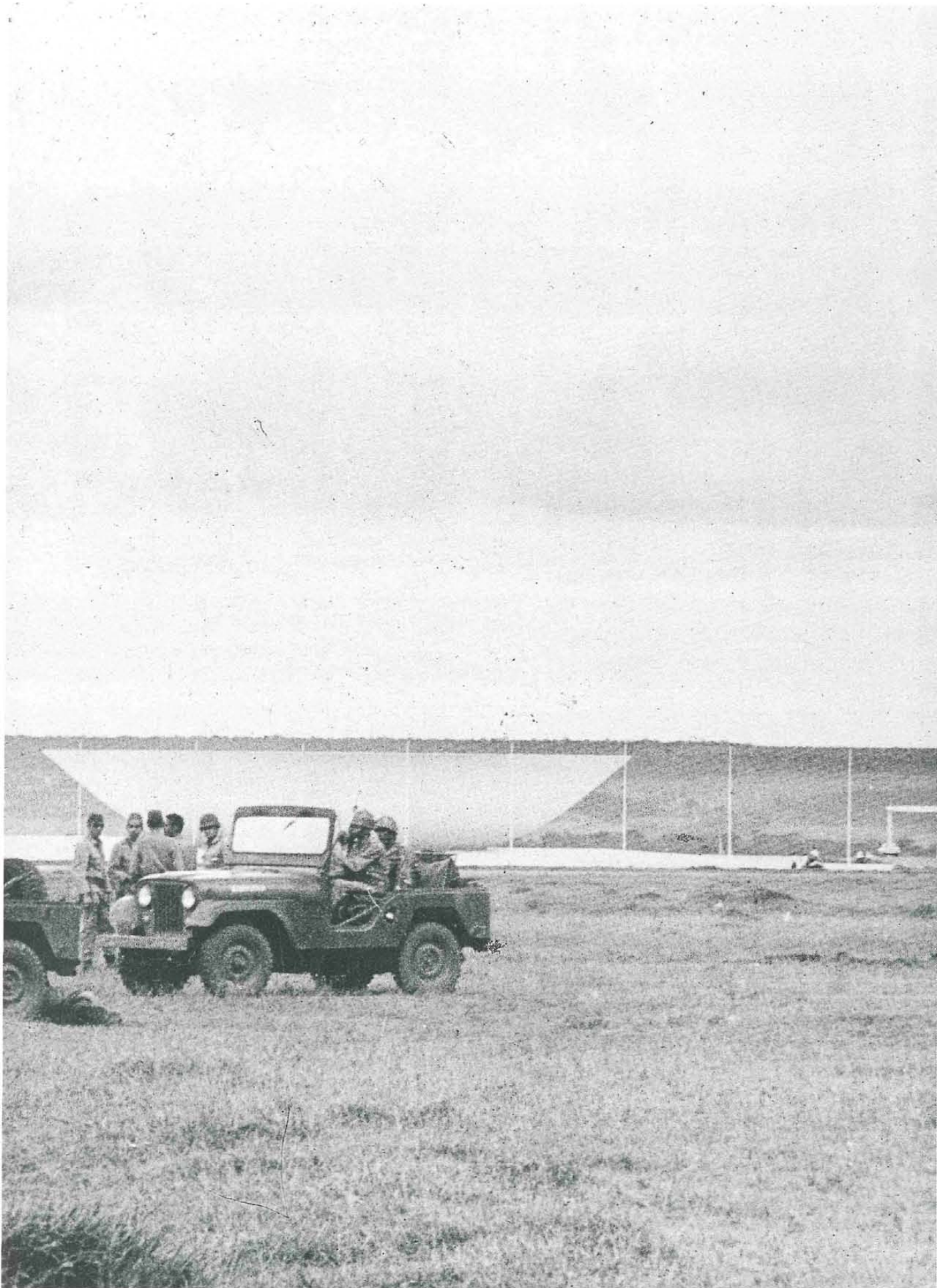
Agência O Gl

The President of the National Congress, Senator Auro de Moura Andrade, convenes Congress and declares vacant the office President of the Republic, on April 1st, 1964

THE SENATE UNDER
THE DISCRETIONARY
REGIME







The national political situation in March 1964 was favorable to the deposition of João Goulart. Thomas Skidmore (1988, p. 63) emphasizes that *the Revolution of 64 was enthusiastically hailed by most of the Brazilian media. Major newspapers, such as Jornal do Brasil, Correio da Manhã, O Globo, Folha de S. Paulo and O Estado de S. Paulo openly fought for the deposition of the Goulart administration.* Also, he reports that the Brazilian Bar Association and the Catholic Church applauded the movement.

The actions of the President of the Senate, Senator Auro Moura Andrade, took place in such scenario. On March 15, when he convened and opened the meetings of the National Congress in a joint session, in view of the institutional anarchy predominant at the time, the senator warned:

To democracy all the support of Congress; otherwise, nothing.

In the dawn of April 2, Senator Auro Moura Andrade convenes Congress, declares the Presidency of the Republic vacant, goes to the Planalto Palace and installs Deputy Ranieri Mazzilli, President of the Chamber of Deputies and the next in the line of succession, in the office of President of the Republic.

João Goulart was still in Rio Grande do Sul: therefore, the Presidency was not vacant. However, analysts who carefully studied the matter maintain that Moura Andrade's decision prevented a civil war and useless bloodshed.

Anyway, the President of the Senate had the support of the majority of the Legislative Power. There was a general belief that

such an action was the salvation of democracy. Soon disappointment would follow. Shortly afterwards, Moura Andrade himself would make public his disapproval of the military regime, by means of this short but meaningful statement:

Revolution is not made with the aim of living in a revolutionary state.

Even Moura Andrade would later on be subject to revolutionary investigations (by means of the IPM, or military-police inquests). He was accused of corruption in dealing with the Caixa Econômica, in São Paulo. He was in Europe at that time for medical treatment. When he was made aware of the accusations, he gave up hospitalization and returned to Brazil. Upon disembarking in Galeão Airport, he wrote a manifesto in which he recalled:

Twice was civil war avoided because I declared the Presidency of the Republic vacant, thus saving the constitutional order. The last time, in April, such decision endangered my life.

And further on:

To the devil with my health: but my honor as a public man must be defended and kept irreplaceable.

And he concluded:

I shall examine that report and prove that a military jacket is not a magistrate's robe and what is inside it is not a judge. (Andrade, op. cit., p. 324)

That "revolutionary state" became obvious on April 9, 1964, when Institutional Act nº 1 was issued, its concept clear in the first two paragraphs of the justification. Paragraph one reads:

The successful revolution takes over the Constitutional Power which expresses itself through



lections by the people or by means of a revolution. This is the most expressive and radical form of the constituent power. Therefore, a successful revolution legitimates itself as a Constituent Power.

Although conceived by civilians, the Revolution would be accomplished by the military who immediately took charge. The political body, and thus the Legislative Power, were the first targets of the exceptional measures.

The second paragraph of Institutional Act nº 1 provides the key to the aim intended:

It thus becomes clear that the Revolution does not try to legitimate itself through Congress. On the contrary, as a result of the Constituent Power inherent to all revolutions, this Institutional Act legitimates Congress.

It could not be more explicit.

The Legislative Power was merely tolerated, authorized, as long as its behavior proved acceptable and after being purged of those members that might be considered dangerous, unsuitable or inconvenient to the system.

In order to gauge the behavior of the Senate and of Congress during this period, we deem essential to recall some relevant historical episodes.

The wave of disfranchisement of senators hit even former President Juscelino Kubitschek, a Senator for the State of Goiás, party to the group that had proposed the candidacy of Marshal Castello Branco, who committed himself to respect the elections of 1965. JK's candidacy had already been ratified by the Democratic Social Party. Other

public figures who had supported the revolutionary movement, such as Carlos Lacerda and Ademar de Barros, were also stripped of their civil rights.

Informed that the disfranchisement decree would be published on June 8, Juscelino read his last speech as a senator on June 3, stating:

I have nothing to defend myself of. The internal mechanism of the Institutional Act does not allow the accused to have access to the accusing documents. Thus, the Brazilian revolutionaries annul the most sacred conquests of the law. I am not aware of the accusations brought against me: I have only gathered rumors and whispers of old stories, shattered and disheartened by irrefutable disproof.

Agência JB



Auro Moura Andrade

The Nation is now living under terror. Here and now I wish to declare myself solidary with those who suffer investigation processes that remind me of the most dramatic moments undergone by mankind. (Kubitschek cited by Andrade, op. cit., p. 314)

Institutional Act nº 1 had established the principle of lapse of term, according to which the proposals Congress had failed to vote within the

established deadline would be considered as having been passed; it also suspended the constitutional and legal guarantees of life tenure and tenure in office, thus allowing the government to suspend all political rights for ten years and disfranchise without allowing the possibility of a judicial appeal. In July 1964, Congress approved, with a difference of only one vote, Constitutional Amendment nº 9, which extended Castello Branco's term of office until March 15, 1967.

In October 1965, Senator Milton Campos resigned from the office of Minister

of Justice, as he would not agree with the text of Institutional Act nº 2, which dissolved the political parties and imposed the two-party system, under which the new parties, National Renovation Alliance (ARENA) and Brazilian Democratic Movement (MDB), came to life. On October 13, the Official Gazette publishes the disfranchisement of five deputies. The President of the Chamber of Deputies, Adauto Lúcio Cardoso, reacts against such decision and is supported by the President of the Senate, Auro Moura Andrade. On October 20, Congress convenes a permanent vigil session on behalf of the threatened freedoms and receives the news that its recess has been decreed by General Castello Branco; on the following day, troops from the three Armed Forces and the Military Police of the Federal District, led by Colonel Meira Mattos, occupy the building of the National Congress. In February 1966, Institutional Act nº 3 is issued, establishing indirect elections for state governors and the appointment of the mayors of the state capitals.

At the end of the year, General Castello Branco decided to legitimate the regime by working out a Constitution. By means of Institutional Act nº 4, he extraordinarily convened Congress to meet in a session with the aim of approving the bill from the Executive. The deadline, 41 days including the end-of-the-year holidays, was almost impossible to be complied with, according to Auro Moura Andrade, and following the principle of the lapse of term, the original text would be approved.

Actually, it was Castello Branco's intention, with the new Constitution, to eliminate the recourse to institutional acts and to lead the country toward democracy. The events frustrated his intentions. The text of the Constitutional draft forwarded by the Government enclosed one chapter which did not guarantee but rather restricted individual rights.

Three Senators, Daniel Krieger, President of ARENA, Eurico Resende, Vice Leader of the Government Party, and Milton

Campos, went to the Laranjeiras Palace, in Rio de Janeiro, in order to discuss the matter with the President of the Republic.

As usual, Krieger was forthright, direct and incisive, and informed Castello Branco that the Federal Senate refused to vote any constitutional text that did not include a chapter dedicated to individual rights and guarantees.

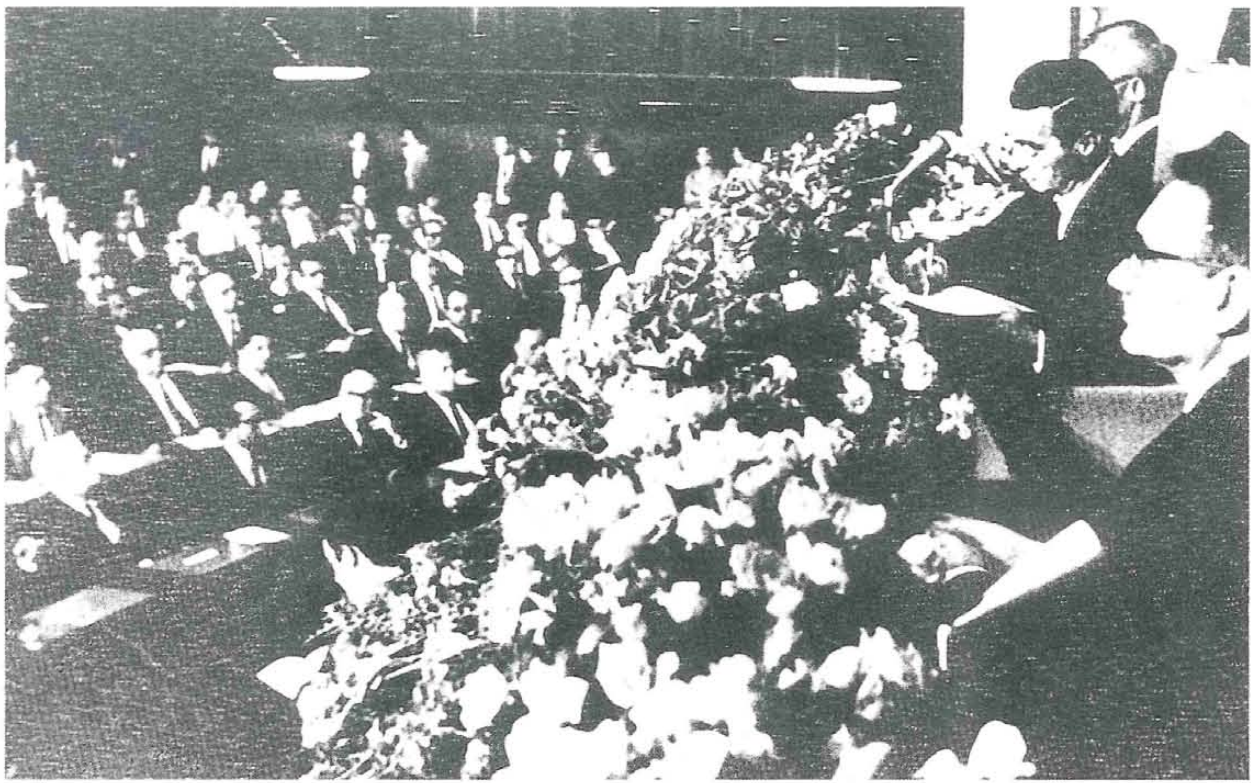
Castello agreed to an amendment, written then and there by Milton Campos, and later submitted by Eurico Resende and accepted by the Rapporteur Senator Antonio Carlos Konder Reis. Later on, in 1975, Senator Paulo Brossard, the stern critic of the system and opposition leader would concede that chapter was as liberal as the one in the Constitution of 1946.

The approval of that Amendment was threatened by the fatal voting deadline, expiring on January 21, 1967. It was then that the deliberate delay of the Congress plenary hall clock took place. Auro Moura Andrade, the President of Congress, described the episode in his memoirs:

I stared at the clock. Time was flying and it would soon strike midnight. I had no doubts. I ordered the plenary hall clock to be stopped. (...) work resumed and, when the final text was approved it was nine minutes to midnight. Then I ordered the clock to be turned on again and made a specific statement on the subject: "Let it be known that, today and always, I wish to impress your attention on the fact that the activities came to an end at nine minutes before the astronomical time, in the correct standard time zone and according to the plenary hall clock, in full compliance with the Internal Regulations of the Senate."
(Andrade, op. cit., p. 385)

It is worth mentioning that daylight saving time was in use on that occasion.

With the impetus gained from the new Constitution, the Legislative Power would attempt to extend its participation and establish itself as an institution. In so doing, it drew a reaction from the military, led by the so-called hard-line. On December 13, 1968, after a three-month crisis triggered by the request for disfranchisement of Deputy



Solemn session for the issuance of the Constitution of 1967

Márcio Moreira Alves, denied by the Chamber of Deputies, Institutional Act nº 5 was decreed, which included and extended the scope of all the discretionary mechanisms already present in the previous Acts.

Later on, in 1977, General Ernesto Geisel, President of the Republic at the time, would take advantage of these mechanisms to issue the “April package” of measures, as an answer to the long-standing crisis with Congress, upon whom the Government wished to press a proposal for the reform of the Judicial Power, repudiated even by the majority of the government’s party, ARENA. After the bill was turned down and notwithstanding all efforts by the Rapporteur, Senator Accioly Filho, and by the President of the Senate, Petrônio Portella, Ernesto Geisel remained irreducible and ordered the recess of Congress, so that he could rule in its place.

Besides the reform of the Judicial Power, the package of measures also included some changes in the electoral system, directly aiming at the Senate. Those measures included the introduction of the indirect election of one-third of the Members of the House, thus giving birth to the so-called “bionic”

Senators, as well as of party subsections in the elections for the Senate. Also, restrictions as to the free electoral propaganda (Falcão Act) were imposed, as a means to prevent, in the elections to be held on that same year, the flood of votes for the opposition, as it had happened in the 1974 elections for the Senate, and as predicted by the polls. The regime was thus trying to maintain itself, guaranteeing the majority in Congress and in the Electoral Collegiate Body that would appoint the new President of the Republic.

The “April package” was the swan’s song of the authoritarian regime, that would never close Congress again. Public reaction became stronger and stronger. Entities such as the Brazilian Bar Association publicly declared their opposition to Geisel’s attitude. The São Paulo Law School published the “Letter to the Brazilian People.” Countless public demonstrations demanded the return to Lawfulness, finally culminating in the Campaign for “Direct Elections Now” and, with popular support, in the election of Tancredo Neves by the Electoral Collegiate Body on January 15, 1985, a landmark in Brazil’s redemocratization.

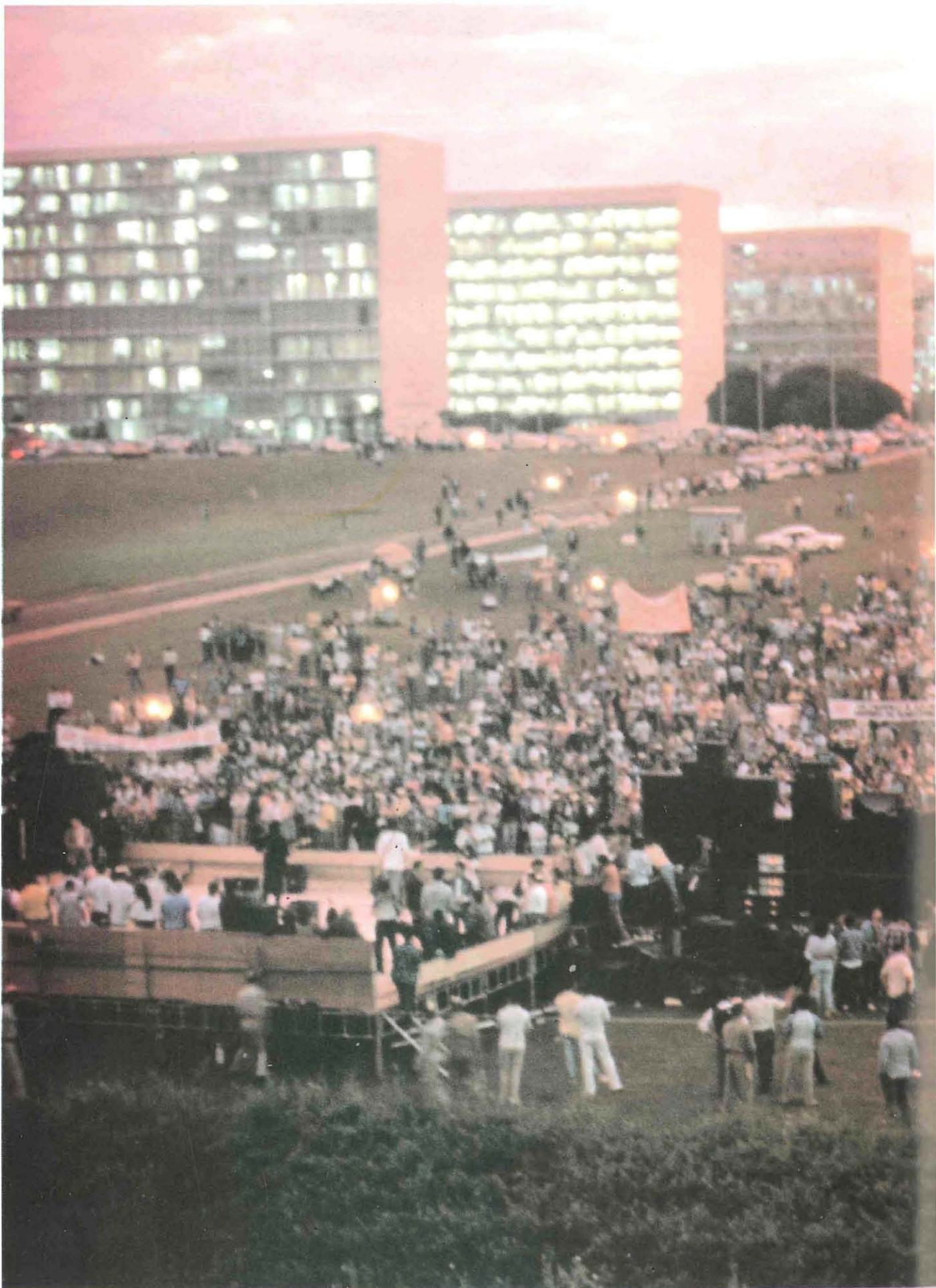




July 7, 1992: democratic movement against corruption and impunity

THE RETURN TO DEMOCRACY





The Voting of "Direct Elections Now"





Revolution must be permanent, as an idea and an inspiration; the revolutionary process, however, must be transient and short-lived in order to avoid sanctioning the discretionary power.

Castello Branco certainly shared this concept proffered by Milton Campos. Proof of this as the fact that he tried to have the country ruled by a Constitution before leaving the presidency. However, the return to democracy proved to be a long and painful process starting only after the election of General Ernesto Geisel, who had been the Military Advisor in Castello's administration.

During the most authoritarian and radical period of the revolutionary system, the Senate bridged the gap that separated the political class from those holding the power. Senators Filinto Müller and Daniel Krieger should be remembered for their remarkable performance in this period.

Of different but equally strong personalities, they were able to maintain a sometimes acrimonious dialogue with the higher authorities and to avoid authoritarian excesses, especially those aimed against the National Congress.

Also during this period, and in spite of the negative circumstances, parliamentary debates were heated. Either in the plenary debates or in the discussions held within the technical committees, the members of the opposition, formed by only seven senators, alternately led by Nelson Carneiro, Franco Montoro or Amaral Peixoto, daily whipped the political and administrative errors of the Government.

Although giving parliamentary support to the government proposals and atti-

tudes, the ARENA shared with the MDB the hope of returning to democracy and equally defended the autonomy and dignity of the Legislative Power. In spite of its reduced number, the opposition members sat in all committees, even in the Directing Board.

Freedom, especially freedom of the press, never surrendered in the Senate. When the General in charge of censorship, which was extremely rigid at the time, sent to the official of the Higher Chamber in charge of the news in *A Voz do Brazil*, two emissaries carrying a handwritten and unsigned note forbidding the broadcasting of senators' speeches on specific subjects, as well as any mention to the name of certain personalities, the President of the Federal Senate at the time, Senator Petrônio Portella, haughtily reacted and commanded:

Let the visit of the emissaries be ignored and the unsigned note be torn.

Another historical episode took place when Juscelino Kubitschek died. Senator Magalhães Pinto, President of the Senate at the time, was aware that the Government had no intention of decreeing official mourning on behalf of Kubitschek's death. However, when he entered the Senate building, at nine o'clock, he ordered the Senate's National Flag to be hoisted at half mast and to remain so until counterorder. There was such a strong reaction to this gesture that, at three o'clock in the afternoon, the government decreed official mourning.

Countless similar episodes of fierce independence and haughty dignity took place in that period.

When General Ernesto Geisel took office as President of the Republic, the dialogue between the Executive and Legislative Powers was made more open and easier.



Election of Tancredo Neves

Filinto Müller had died in a tragic airplane accident in Paris. His successor and new President of the Senate was Petrônio Portella. With Geisel's agreement, he started in 1977 a series of negotiations with the opposition in order to arrive at a joint decision about the political reforms. The initiative was called Portella's Mission, but it came to an abrupt end when the President of the Republic issued the April Package, notwithstanding Portella's desperate attempts to prevent it. Later on, Portella would say that April 1st, the day when Geisel ordered Congress into recess so that he could issue the package, had been "the saddest day" of his life. A new attempt to come to terms with the opposition was soon dismantled when MDB leader, Deputy Alencar Furtado, was stripped of his political rights; Portella's interference was decisive, however, to prevent the disfranchisement of the Party's President, Deputy Ulysses Guimarães.

Petrônio resumed his mission, this time in the form of a dialogue with sectors of the Brazilian society, an action which constituted the spearhead of Geisel's "distention" policy. According to lawyer Raimundo Faoro, who participated in the dialogues, Petrônio's endeavors, by means of countless meetings with Church representatives, lawyers, entrepreneurs and workers, including the young union leader Luís Inácio da Silva, Lula, formed *the cornerstone which enabled the transition process from the authoritarian regime to democratic normality*. Incorporating the suggestions made during those meetings, Portella's dialogues helped pave the way to the approval, by Congress, of the proposal submitted by the Executive Power, which suggested the replacement of the old exceptional instruments, such as Institutional Act nº 5, by constitutional safe-





guards, to be used in exceptional circumstances, as the decreeing of state of emergency and state of siege, as well as the prohibition of strikes.

Heir to Geisel's openness policy, General João Baptista Figueiredo took office in 1979, and planned to make transition feasible by strengthening the political class, namely, the most conservative sector of Congress. Following these lines, he appointed Petrônio as his Minister of Justice and main political liaison man. Together with the Minister-Advisor for Civilian Matters, General Golbery do Couto e Silva, he was supposed to develop the openness policy, closely controlled by the regime.

Petrônio Portella's sudden death, in January 1988, from heart failure, put an end to his activities. His work resulted in the Amnesty Act – later on made popular through-

out the country by Senator Teotônio Vilela (called the Minstrel of the Alagoas) when he roamed throughout the country preaching his Project Brazil, participating also in the campaign for direct elections in 1984, the so-called Direct Elections Now. Deputy Dante de Oliveira was the author of the bill for Direct Elections Now, strongly supported by Senator Tancredo Neves and Deputy Ulysses Guimarães.

The Dante de Oliveira bill was turned down by Congress, by a difference of twenty votes, in a two-thirds quorum, as required for a constitutional amendment. The narrow ways of democracy were broadening. The last step was the meeting of the last Electoral Collegiate Body in January 1985, that elected the President and Vice President of the Republic, Senators Tancredo Neves and José Sarney.



The "Direct Elections Now" Movement

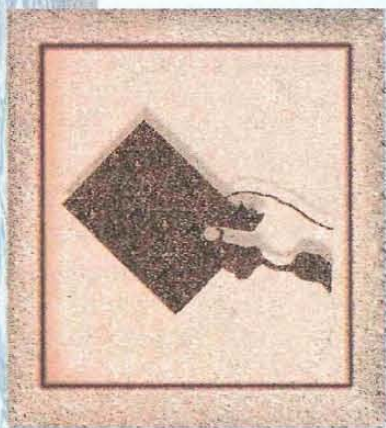
Weird and unforeseeable are the ways of politics: the Electoral Collegiate Body, which had been created to overcome the will of the people, ended up by expressing and sanctioning that will.

The return to full democracy was finally a reality.

In spite of the problems the Senate had to face, it was equal to itself and it confirmed Accioly Filho's thesis that the Senate is an instrument against oppression. History will do justice to the Senate and to the per-

sonalities who honored it, as Auro Moura Andrade, Milton Campos, Daniel Krieger, Filinto Müller, Juscelino Kubitschek, Petrônio Portella, Magalhães Pinto, Accioly Filho, Dinarte Mariz, Josaphat Marinho, Nilo Coelho, Amaral Peixoto, Nelson Carneiro, Gustavo Capanema, Afonso Arinos, Franco Montoro, Virgílio Távora, Ruy Santos, Teotônio Vilela, Jarbas Passarinho and Paulo Brossard. The debates between the two latter Senators, from 1975 onwards, brought glory upon the Senate plenary assembly.

THE SENATE
AND THE
CONSTITUENT ASSEMBLY



In 1985, two Senators saw themselves vested with the highest republican functions: the Presidency and the Vice Presidency of the Republic. Tancredo Neves did not exercise the office, but José Sarney presided over the destiny of Brazil all through a term of office during which Brazilian citizenship was rescued and Brazilian institutions were reorganized: in 1987 and 1988, the National Constituent Assembly was convened. Its work, the Constitution promulgated on October 5, 1988 by Ulysses Guimarães, was also the work of the Senate and of its 72 members, who had a decisive participation in that process.

One of the most important subsidies for the work of the constituents was the initiative of the Constitution and Justice Committee, chaired by Senator José Ignacio Ferreira, of the state of Espírito Santo, who gathered, during the year of 1986, the most varied suggestions from Brazilian citizens from all over the country, and which were collected in an imposing data bank, consisting of over 30.000 entries. The work of the National Constituent Assembly observed the Internal Regulations reported by Senator Fernando Henrique Cardoso. Many of its major thematic committees were chaired or reported by Senators: Afonso Arinos (chairman of the Conference Committee), Jarbas Passarinho (chairman of the Committee on Electoral and Party Organization and on Institutional Guarantees), Marcondes Gadelha (chairman of the

Committee on Family, Education, Culture and Sports, Science and Technology and Communications), Almir Gabriel (rapporteur of the Committee on Social Order), José Richa (rapporteur of the Committee on the Organization of the State) and José Paulo Bisol (rapporteur of the Committee on Sovereignty and the Rights and Guarantees of Men and Women).

The Senate gave impetus to several groups where intense work was carried out, simultaneously with that of the Conference Committee. Among them, the so-called Group of the 32, coordinated by Senator José Richa, from the state of Paraná. The outcome of the work of such a group was of great help to the Committee and for the preliminary versions of the constitu-

tional draft. Although the heated debates in the National Constituent Assembly, in specific moments, dealt with the issue of the unicameral system – a subject of great interest, in those days, since that system was adopted for the work of the Assembly – the

Senate succeeded in maintaining and widening its institutional role. The federate importance of the Senate, its close links with the life of the states and its projection in time widened its competencies in the economic and financial management of the Union, the states, the Federal District and the municipalities, as well as in the appointment of the members of the superior courts and of the heads of the major public administration bodies.



National Constituent Assembly, 1988

Célio Alves de Azevedo



Public demonstration during the voting on the Final Report of the Parliamentary Inquiry Committee on the PCB

IMPEACHMENT OF A PRESIDENT



August 26, 1992



Brazil amazed the world when it deposed its President Fernando Collor de Mello, by means of an impeachment. This mechanism has always been present in our Constitutions, although limited, during the Empire, to Ministers and State Counselors. However, no such proceeding had ever been successful. The attempts to impeach Presidents Floriano Peixoto, in 1893; Campos Salles, in 1901; Hermes da Fonseca, in 1912; Arthur Bernardes, in 1926; Getúlio Vargas, in 1954; Castello Branco (twice) in 1966; and José Sarney, in 1988 has all failed.

For the first time the History of the World registers such an episode. In the United States, Richard Nixon resigned before the impeachment proceedings commenced.

On May 24, 1992, one of Brazil's major magazines featured an interview with Pedro Collor, President Fernando Collor de Mello's brother, confirming and providing detailed information on a number of accusations that had been recently published in the press, concerning corruption in the administration. In this interview, Pedro Collor exposed the influence traffic mechanism, managed by Paulo César Farias, the treasurer of Fernando Collor's electoral campaign, and he accused his brother of being the one to benefit the most from this corrupt scheme.

On this account, the President of the National Congress, Senator Mauro Benevides conferred with Deputy Ibsen Pinheiro, President of the Chamber of Depu-

ties, and with the leaders of the Parties on both Legislative Houses, arriving at the decision of establishing a joint parliamentary inquiry committee.

The first signature on the request was that of the Leader of the Party of the Brazilian Democratic Movement (PMDB), Senator Humberto Lucena.

Based on the evidence collected by that inquiry committee (CPI), and in the capacity of citizens, according to the provisions of the Constitution, Barbosa Lima Sobrinho, President of the Brazilian Press Association (ABI), and Marcelo Lavenère, President of the Brazilian Bar Association (OAB), presented to the Chamber of Deputies, on September 1st, 1992, the charge of crime of responsibility against the President of the Republic, asking for the decreeing of his loss of office and of the right to exercise, for eight years, any public office.

On September 29, 1992, the Chamber of Deputies approved, by 441 votes – 167 votes above the two-thirds required by the Constitution – the opinion presented by the special committee appointed to examine the accusation, which concluded that such accusation was admissible, both in legal and in political terms. The Federal Senate was thus empowered to initiate the proceedings concerning the crime of responsibility, in accordance with article 52 of the Constitution, which establishes the exclusive competence of that House to effect the legal proceeding and trial of the President of the Republic.



The voting on the Final Report of the Parliamentary Inquiry Committee on the PC affair

On October 1st, chaired by Justice Sidney Sanches, President of the Supreme Federal Court, the proceedings were initiated in the Senate, which, to that end, acted as a judicatory body. The Special Committee for the Impeachment was created, composed of twenty-one members and presided by Senator Elcio Alvares, having as rapporteur Senator Antonio Mariz, who was entrusted with preparing the legal opinion on the admissibility of the charge brought against the President of the Republic. The President of the Republic's removal from office, for a period of 180 days, according to the Constitution, as well as his replacement by Vice President Itamar Franco, were effected on October 2, 1992. The decision was taken by 73 ayes and eight nays.



Abril Imagens/Pró-Impeachment de André Penner



THE MAKING OF LAWS



The initiative of the Brazilian laws is the essential competence of the Members and committees of the National Congress and of the President of the Republic. In specific instances, this initiative may be extended to the Federal Supreme Court, to the higher courts, to the Attorney-General of the Republic, to the legislative assemblies and to the citizens. Articles 59 to 69 of the Constitution deal with the legislative process, which comprises the preparation of amendments to the Constitution, supplementary and ordinary laws, delegated laws, provisional measures, legislative decrees and resolutions.

The proposal of amendments to the Constitution may be initiated by the President of the Republic, by the deputies and

senators and also by the legislative assemblies. These proposals are discussed and voted in each one of the Houses of Congress, in two rounds, and its passing depends on the favorable votes of three-fifths of the respective members. An amendment to the Constitution is promulgated by the Directing Boards of the Chamber of Deputies and of the Federal Senate.

The delegated laws are introduced by the President of the Republic, through delegation of the National Congress. The provisional measures, which are within the competence of the President of the Republic, are issued in important and urgent cases, and should be immediately submitted to Congress; in case they are not converted into law within 30 days, the provisional measures lose effectiveness.

Rui Faquini



Silver urns for collecting the Senator's votes, used from 1832 to 1903

Legislative delegations, provisional measures, vetos and budgetary proposals are discussed in joint sessions of the National Congress, after being examined by a joint committee, whose duty is to issue a recommendation.

Bills of law introduced by the President of the Republic, by federal deputies, by the Federal Supreme Court, by the Attorney-General of the Republic and by the people start in the Chamber of Deputies, whence, in case they are approved, they are forwarded to the Senate, which, in this case, acts as a reviewing chamber. When the matter is amended by the Senate, it returns to the Chamber of Deputies, and the voting comes to an end by the acceptance or the rejection of the amendment.

Bills initiated by Senators start in that House and, once they are passed, they are forwarded to the Chamber of Deputies for examination. If the latter amends them, the bills are returned to the final examination by the Senate. The voting of the proposals is preceded by their examination within the committees.

It is incumbent upon the Legislative House in which the voting of the bill was concluded to forward it to the President of the Republic, who, if he concurs, sanctions it. If the President of the Republic deems the bill unconstitutional, in whole or in part, or contrary to the public interest, he makes use of the power of veto, which may be full or partial. If the President of the Republic, within fifteen days, does not express his opinion on the bill passed in the National Congress, his silence will be understood as sanctioning, and the matter is then promulgated by the President of the Senate.

The full or partial veto by the President of the Republic to a bill of law can only be rejected through the votes of the absolute majority of the deputies and senators. In this case, the bill will be forwarded to the President of the Republic for promulgation.

The legislative decrees and the resolutions deal with matters of the exclusive

competence of Congress (article 49 of the Constitution), like the ones which express legislative delegation. They are promulgated by the President of the Senate. The resolutions relative to each of the Houses are promulgated by the President of the Senate or by the President of the Chamber of Deputies.

In the Senate, the innovations introduced by the Constitution of 1988 and by the updated Internal Regulations resulted in the improvement and modernization of the legislative process, allowing the speeding up of procedures regarding the matters being examined in the House.

The general rule of the legislative process is that the final approval of the proposals should be made in a plenary assembly. There are instances, however, in which the matter can be approved by standing or temporary committees, the competence of the plenary assembly being waived. The 1988 Constitution confers on the committees the so-called final power of decision concerning specific motions originating in the Senate itself. The matter thus approved by any Senate committee is only submitted to voting and discussion in a plenary assembly if an appeal is made to that end. The proposals regarding matters not related to supplementary laws, a bill of law initiated by any committee, a draft of a code and the proposals originating in the Chamber of Deputies can receive final approval within the committees. However, if the matter has been finally approved in the Chamber of Deputies, it may receive the same treatment in the Senate, by order of the President of the House, after consultation with the party leaders.

The Internal Regulations adopted after the Charter of 1988 came into force simplified the procedures of matters in the committees. In principle, a proposal is examined in only one committee. According to the former Constitution, bills were almost invariably submitted to two or more committees, the Committee of Constitution and Justice being the natural path for the majority of the proposals.



The new Regulations restructured these technical bodies, reducing the number of the standing committees from nearly twenty to only seven, excluding the Directing Committee. The present committees are: Committee of Economic Matters, of Social Matters, of Constitution, Justice and Citizenship, of Education, of Foreign Affairs and National Defense, of Infrastructure Services and of Inspection and Control. The Senate committees are open to receive petitions, remonstrances and complaints from any individual, against an act or omission by an authority or public entity, regarding an issue within their respective competence.

The Senate's decisions are taken, generally, by a majority of votes (half plus one), the majority of its members being

present. However, there are issues that require a larger quorum: a proposal for the amendment of the Constitution, that can only be passed with the votes of a minimum of three-fifths of the Senators; the pronouncement of a sentence against an authority, that needs two-thirds of the votes; a bill of a supplementary law and the approval of the choice of an authority, which require the vote of the absolute majority (half plus one of the total number of Senators).

The voting can be of two kinds: open and secret. The open voting is taken either by symbolic or nominal process. When a matter receives final approval in the Senate, it is forwarded to the Chamber of Deputies, for sanctioning or promulgation.



THE EXCLUSIVE
COMPETENCIES OF
THE SENATE



As an institution entrusted with the maintenance of the balance and the unity of the Brazilian Federation, the Federal Senate has, among its duties, important specific competencies of an exclusive nature, related to matters concerning the Union, the States, the Federal District and the Municipalities.

This group of competencies ranges from the exercise of the judicatory function – to effect the legal proceeding and trial of high authorities of the Republic, such as the President and the Vice President, in crimes of responsibility – to decisions of an administrative nature – to authorize the contracting of external and internal credits by public federative entities, to approve the appointment of judges and heads of diplomatic missions.

As an incumbency that cannot, under any circumstances, be delegated to another body, the exclusive competence is especially conferred by the Constitution upon each one of the Houses of Congress and as such is exercised without any external participation or interference.

The legislative process with respect to an exclusive competence of the Senate begins and ends in that House, with no need of approval or consent by the Chamber of Deputies or by the National Congress.

Included in article 52 of the Federal Constitution, these private competencies of the Senate are the following:

– To effect the legal proceeding and trial, in crimes of responsibility, of the President and the Vice President of the Republic and of the Ministers of State for crimes of the same nature relating to those, and, furthermore, the Justices of the Supreme Federal Court, the Attorney-

General of the Republic and the Advocate-General of the Union.

– To give prior consent to the appointment of the Justices of the Supreme Federal Court and of the Higher Courts; of Justices of the Court of Accounts of the Union appointed by the President of the Republic; of Governors of Territories; of the president and the directors of the Central Bank; of the Attorney-General of the Republic; of the heads of permanent diplomatic missions; and of holders of other offices, as the law may determine.

– To authorize transactions of a financial nature of the interest of the Union, the States, the Federal District and the Municipalities, and to provide for other financial matters of the units of the federation.

– To stop the application, in full or in part, of any law which is declared unconstitutional by a final decision of the Supreme Federal Court.

– To approve the removal from office of the Attorney-General of the Republic before the end of his term of office.

– To elect the members of the Council of the Republic.

It is also an exclusive competence of the Senate to draw up its internal regulations and to provide for its organization, functioning, police, creation, transformation or extinction of offices, positions and functions of its services and the establishment of their respective remuneration.

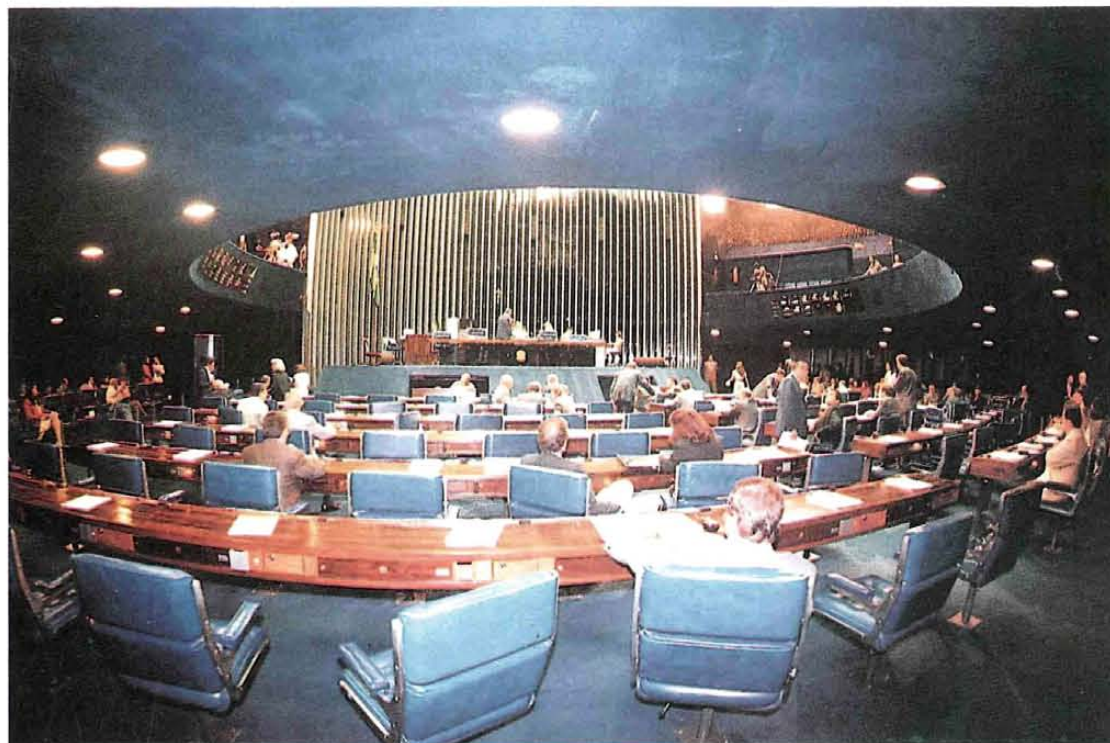
Crimes of Responsibility

In the exercise of its exclusive competence and that of effecting the legal proceeding and trial of authorities, the Senate takes upon itself the function of a judiciary body. An exclusive competence, *par excel-*

lence, of this House of Congress, the judicatory power conferred upon the Senate dates back to the first Brazilian Constitution. Article 47 of the 1824 Charter provided:

It is an exclusive competence of the Senate:

1. *To be informed of the misdemeanors committed by members of the Imperial Family, Ministers of State, State Councilors and Sena-*



The Plenary Hall of the Federal Senate

tors, as well as of the misdemeanors committed by Deputies during the period of the Legislative Term.

2. *To be informed of the responsibilities of Secretaries and State Councilors.*

In order to initiate the legal proceedings against the President and the Vice President of the Republic, in crimes of responsibility, as well as against State Ministers, the Senate needs the authorization from the Chamber of Deputies, which, however, does not have the power of trial. The previous constitutional text, in accordance with the provisions of Amendment nº 1/69, entrusted the Chamber of Deputies with the competence to bring charges. According to the Charter now

in force, the Chamber only authorizes, it being incumbent upon the Federal Senate to initiate the legal proceeding and trial, being, on that occasion, chaired by the President of the Supreme Federal Court.

Regarding the initiation in the Senate of legal proceedings to try the Justices of the Supreme Federal Court, the Attorney-General

Adão Nascimento

of the Republic and the Advocate-General of the Union, for the perpetration of a crime of responsibility, the authorization of the other Legislative House is not necessary.

The judicial sanction in crimes of responsibility does not result in loss of freedom, but in loss of office, and in the consequent additional pen-

alty, namely, the disqualification of the condemned person to hold any public office for a period of eight years.

The Consent to the Appointment of Officials

The Senate's involvement in the process of the appointment for specific offices in the Judicial and Executive Powers has its origin in the first Republican Constitution, and it allows the Legislative Power to exercise a certain degree of control over the appointment of officials who perform important functions in the Brazilian government.

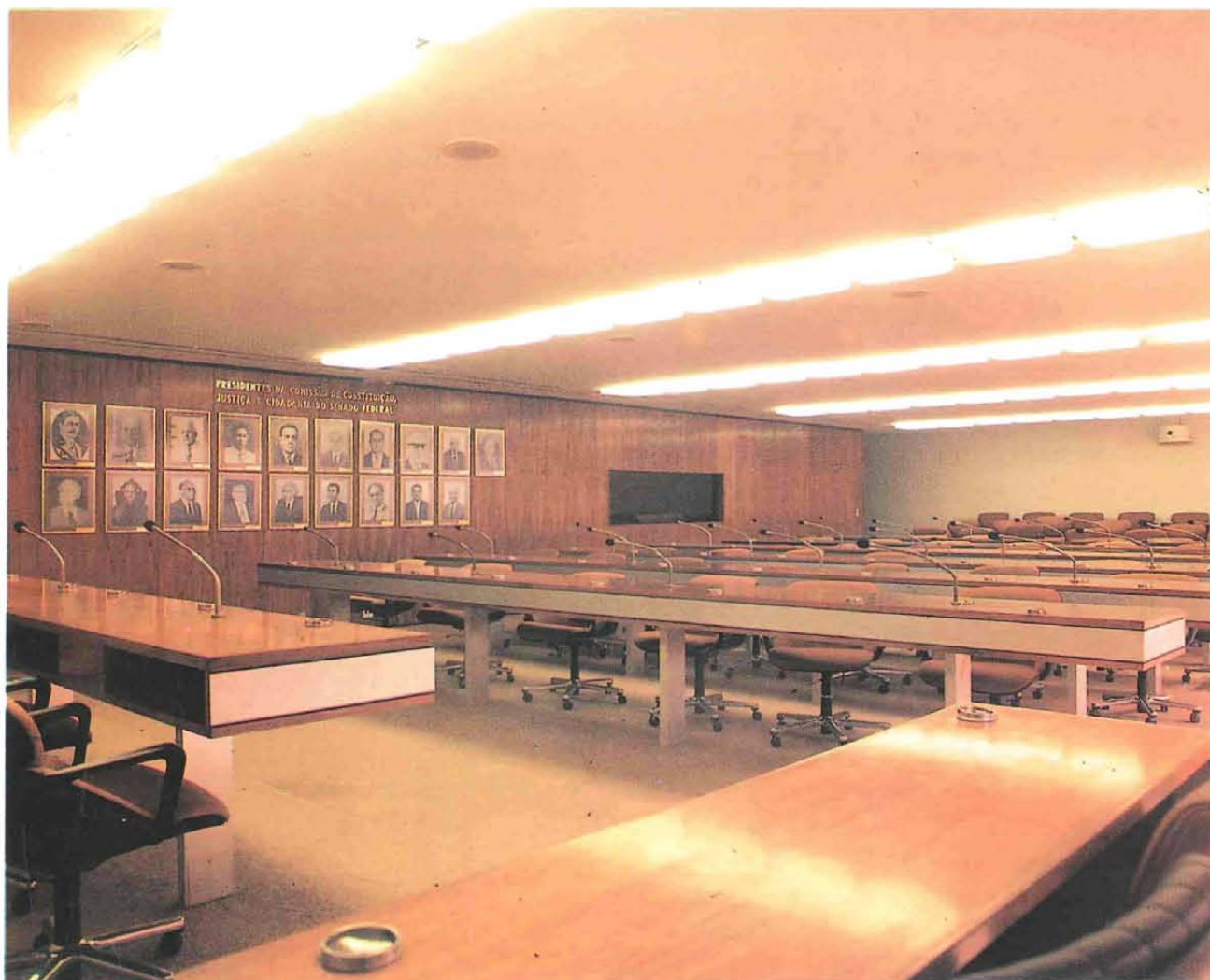


As has been emphasized by Senator Accioly Filho (op. cit., page 101), through the prior deliberation on the nominations for several offices in the Judicial Branch and in the administration, *the Senate participates in the organization of the Judicial Power and in the conduction of the foreign policy, through the confirmation of Ambassadors.* Apart from the

have already received the approval of the Senate.

The individuals nominated for these offices must obtain approval, by secret voting, after being submitted to a public or secret quizzing. This takes place in a meeting of the committee, which will then issue an opinion on the nomination. The quizzing for

Rui Faquini



The room of the Constitution, Justice and Citizenship Committee of the Senate

Justices of the Supreme Federal Court, the previous consent of the Senate is also necessary for the appointment of the Justices of the Superior Court of Justice, of the Superior Labor Court, of the Superior Military Court and of the two Justices who are chosen from among lawyers for the Superior Electoral Court. Of the seven Justices of the Superior Electoral Court, three are members of the Supreme Federal Court and two are members of the Superior Court of Justice, whose names

those nominated for the courts is held before the Constitution, Justice and Citizenship Committee.

The prior approval of the Senate in the choice of the officials for the Central Bank is an innovation, since formerly it was an office whose appointment was freely made by the President of the Republic, without the consent of a Legislative House. On the other hand, the present Constitution has also



placed back within the competence of the Senate the approval of the nomination for the office of Attorney-General of the Republic.

By force of law, the Senate decides upon the nominations for the Administrative Council of Economic Defense (CADE) and for the office of Public Legal Defender. It is also an exclusive competence of the Senate to elect two out of the six members of the Council of the Republic, chosen from among born Brazilian citizens over thirty-five years of age. Of the other four members chosen from among citizens to make up the Council, two are elected by the Chamber of Deputies and two appointed by the President of the Republic.

Public Debt

The exclusive competence of the Senate in regard to the public debt was considerably expanded and strengthened by the present Constitution. With the coming into force of the new constitutional order, the Senate is no longer a body that merely ratifies the requests of authorization for external and internal credit.

This competence conferred exclusively on the Senate, as stressed by jurist Pinto Ferreira (quoted by Cretela Júnior, 1992, page 2548), *is in accordance with the federative regime itself, since it is justifiable that the contracts entered into by such entities (the Union, the States, the Federal District and the Municipalities) are agreed to by the Union*. On his turn, Pontes de Miranda, commenting on the reasons for conferring on the Senate, and not on the Chamber of Deputies, the competence to authorize transactions of a financial nature, explains that this is due to the fact that all member States are represented by an equal number of Senators.

The Senate anticipated the new constitutional order, establishing, in 1987, a Special Committee for the External Debt. This committee represented a first step toward the political acknowledgment of the debt, whose handling should not be restricted to

the technocratic instances. The work of the committee afforded the demonstration of the close relationship existing between the external and the internal problems of the country, and also, that the solution for the problem of the public debt should be arrived at both externally and internally.

A subcommittee of Senators visited the United States, where it conferred with representatives of the creditor banks. Separate contacts were also maintained, in that country, by members of the committee. Testimonies given by Ministers and by negotiators of the debt, as well as seminars and meetings, contributed for the attainment of a consensus that the best thing to do was to acknowledge the debt, to abandon the moratorium rhetoric and to enter into negotiations aiming at the establishment of realistic conditions of payment.

The agreement entered into in 1993 with the creditor banks, in which the Federal Senate had a decisive participation, as well as other agreements previously entered into, resulted in important solutions for Brazil. Thanks to these agreements, Brazil regained its place in the international market, continuously increasing its reserves, with the raising of the exportations, thus creating the necessary conditions for the contracting of new loans.

With respect to the internal debt, the situation that was found differed from that regarding the external debt, the latter characterized by strict accounting control and discipline imposed by the creditors. Neither control nor discipline existed with respect to the internal debt. In the face of such situation, the Members of the Economic Affairs Committee of the Senate acknowledged the need to discipline the matter. From 1992 onward, a serious and in-depth assessment of the real situation of the State and Municipal debts led to the parties trying to arrive at an unanimous solution, these efforts being coordinated by the Senate. Great progress has been made with respect to the debts of the States, of the Federal District and of the Municipalities,



since, starting from an undisciplined situation, that had gotten out of control, it was possible to arrive at an assessment and at procedures that have established a reasonably structured sector.

The Control of Constitutionality

By means of the exercise of the exclusive competence of stopping the applica-

tion, in full or in part, of a law declared unconstitutional by a final decision of the Supreme Federal Court, the Federal Senate has an important role to perform in the control of the constitutionality of the laws.

The term law, as used here, has a broad meaning, encompassing the decrees and other normative acts, in the federal, state and municipal levels. With the stopping of its application, a law loses its power, it being no longer possible to demand compliance with it.



LIFE AND DEATH
OF A PALACE



On April 15, 1960, the Senate met for the last time in Rio de Janeiro, in the premises of the Monroe Palace, its headquarters since 1925.

The Monroe Palace was the great star of the International Exhibition of 1904, in Saint Louis, organized by the government of the United States to celebrate the 100th anniversary of the purchase of the state of Louisiana. The Brazilian pavillion, a building with a metallic structure, to make possible its transportation to Brazil at the end of the Exhibition, was a great success. The American press of that time highly praised both the engineering technology and the architecture of the building, awarded the Exhibition's Gold Medal.

The builder of the edifice, the military engineer Francisco Marcelino de Sousa Aguiar, who would later become the Mayor of Rio de Janeiro, drew inspiration from the French architecture. He would also design, in the same style, the buildings of the National Library and of the Municipal Theater, the latter a copy of the Paris Opera. All three buildings, the Monroe Palace, the National Library and the Municipal Theater were located on the same square, in Rio.

The palace was named after the American President, James Monroe, who formulated the doctrine of non-intervention in the Continent. It was baptized and reopened on July 23, 1906, at the opening of the Third Pan-American Conference. That event, which brought together the Ministers of Foreign Affairs of the three Americas, was one of the highest points of the Baron of Rio Branco's career, and a landmark in the history of Brazilian diplomacy. It was part of the strategy of the new republican regime to dis-

play to the international community the image of a modern and progressive nation. The new palace contributed to the success of the Conference, since, as a fine example of *belle époque* aesthetics, it demonstrated the enterprising capacity of the new Brazilian government, as well as its compliance with the standards followed by the elite of those days.

The Monroe Palace was the seat of other congresses, and was also used by the deputies while the Tiradentes Palace was being renovated, until the Senate eventually moved into it. The palace's profile became so identified with the institution that, in the last plenary session held in its premises, on the eve of its transfer to Brasilia, the Senators expressed their emotion at leaving, not only the city, but also the building.

The first speaker at this meeting, Senator Afonso Arinos de Melo Franco, asked the Board not to forget to see to the removal to Brasilia of the bust of the House's patron, Ruy Barbosa. Afonso Arinos started his speech with the importance of that moment for the Legislative Power and for the nation, invoking the austere atmosphere of the room he was in:

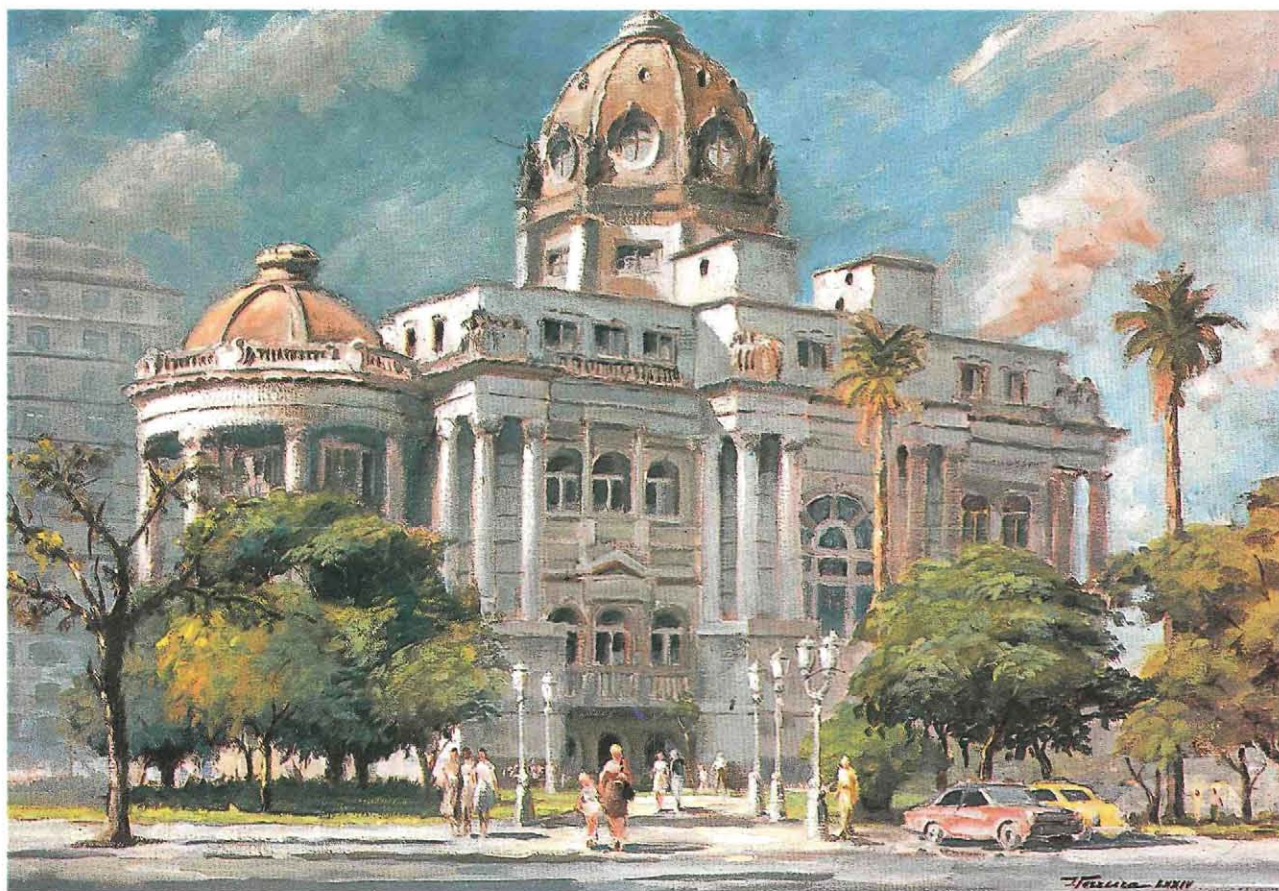
Mr. President, the modesty and the simplicity of these premises are, no doubt, a good frame for an episode which can easily be qualified as historic. Actually, the historic nature of the events should not be measured merely by the pomp of its presentation but, mostly, by the significance, by the depth and by the amplitude of its future consequences. (Franco, 1960, p. 1062)

As the session proceeded, it came Senator Argemiro Figueiredo's turn to say good-bye to the Monroe Palace:

We will not leave this place with the intangible phlegm of the British. We will leave as Latins, swept with emotion. All our memories, our

speeches, our heated discussions, the trifling incidents; the sound of our footsteps going up and down the stairs of this Chamber; this sober and noble ceiling; these Roman columns (...) lead us to say that this House, upon closing its doors, will always keep something of our own lives.

The Senate cannot forget the majestic and traditional buildings it has had as its seat. The first, the old Conde dos Arcos Mansion, so sober, so cozy, so respectable, so glorious in its old age; then the Monroe Palace, only fifty years old, which, in the life of a monument, means the prime of youth, possessing, however, its



The Monroe Palace, Rio de Janeiro – Seat of the Sénate from 1925 to 1960

The great social and political changes brought about by the Republic were reflected in here. This was the place where the reform of our political customs took place. From here, the great man Pinheiro Machado manipulated the politics of the nation, directing and guiding it, and dominating it with the extraordinary fascination of his personality (...) From here, the glorious and brilliant words of Ruy Barbosa fought, with unsurpassable valor, the evils of the Republic, the abuses of power, raising with a strong arm the flag of our democratic freedoms.

This House, Mr. President, cannot die. It keeps the echo of the words of our immortals. (Figueiredo, 1960, page 1064)

Closing the session, Senator Filinto Müller spoke, on behalf of the Board he presided upon:

stock of unforgettable events. Both remind us of the personalities who represent the acme of the political life of the nation.

In these rooms, we can still feel the presence of those who passed by this place, some before our times, others our contemporaries, all of them worthy of our respect and our longing, for all they were and did. This is the last time the Senate meets in here. (Müller, 1960, page 1067)

Fifteen years later, these words proffered at the last meeting held in the Monroe Palace echoed in the speech by Senator Danton Jobim who, standing up to defend the building threatened of being demolished, addressed to the President of the Republic an emphatic appeal to avoid *this actual assault, perpetrated not only against the city of Rio de Janeiro, but against the historical heritage of the Country.*



Jobim referred to the campaign promoted by the Engineering Club on behalf of the Monroe, mentioning the technical studies contradicting the argument that the building was hindering traffic and injuring ecology. He noted that the Rio subway, then under construction, had had its route detoured, at significant costs of public monies, in order to preserve the Palace. Indignant at the accusation that the building was “an architectonic monster,” he challenged:

Those who argue, as urban planners or architects, the need to demolish the Monroe Palace, should also defend the demolition of the Eiffel Tower, in Paris, and of the neo-gothic monuments of that great capital, which have also been criticized. (Jobim, 1975, page 3600)

Other voices were raised on behalf of the Monroe, without result. Senator Marcos Freire attempted an alternative solution, proposing to the Senate’s special committee entrusted with the decision about the situation of the representation of that House

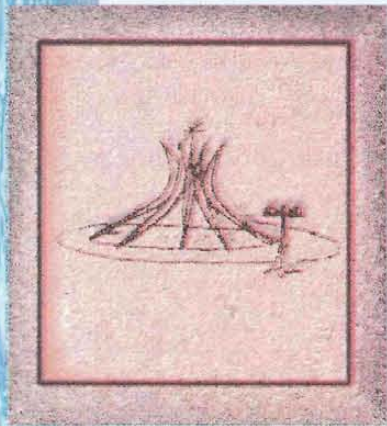
in Rio de Janeiro, the transformation of the Monroe Palace into a museum of the Legislative. Deputy Jorge Arbage introduced a bill proposing the use of that building by the public administration. The newspapers published several pleas from citizens that the building should be saved. Some even suggested that the Monroe Palace should be taken apart, as it had happened in Saint Louis, and removed to another site, to ensure its survival.

Precious stained-glass windows, hard-wood floors, statues (including the lions that decorated the stairway at its entrance) were saved from the demolition and sold to private individuals by the demolition firm, as well as furniture, and objects that are now part of the historic collection of the Senate, in Brasilia.

Among these, the chairs and the desks belonging to the old plenary hall and Ruy Barbosa’s bust, that Afonso Arinos wanted to assure that would be shipped to Brasilia.



THE SENATE
IN BRASILIA





Workmen in the construction of the National Congress Palace, on September 3, 1959



Aerial view of the Plaza of the Three Powers, in August 1959



The transfer of the capital to Brasilia materialized an old intention, already present in the constitutional text of 1891, of giving renewed impetus to the integration of the country by moving its decision-making center to the hinterlands of the Continent. The bill of law ordering that transfer, after going through the procedures in the Chamber of Deputies, was passed in the Senate on September 14, 1956, and was sanctioned by the President of the Republic, Juscelino Kubistchek on the 19th of that same month.

Less than four years later, on April 21, 1960, the Vice President of the Republic, João Goulart, who, according to the legislation then in force presided over the Senate, opened the session of the installation of the National Congress in Brasilia. In his speech, he commended the legislative Power for having firmly kept to the objective of complying with the law, in spite of the heated controversies about the government's actions regarding the moving of the capital.

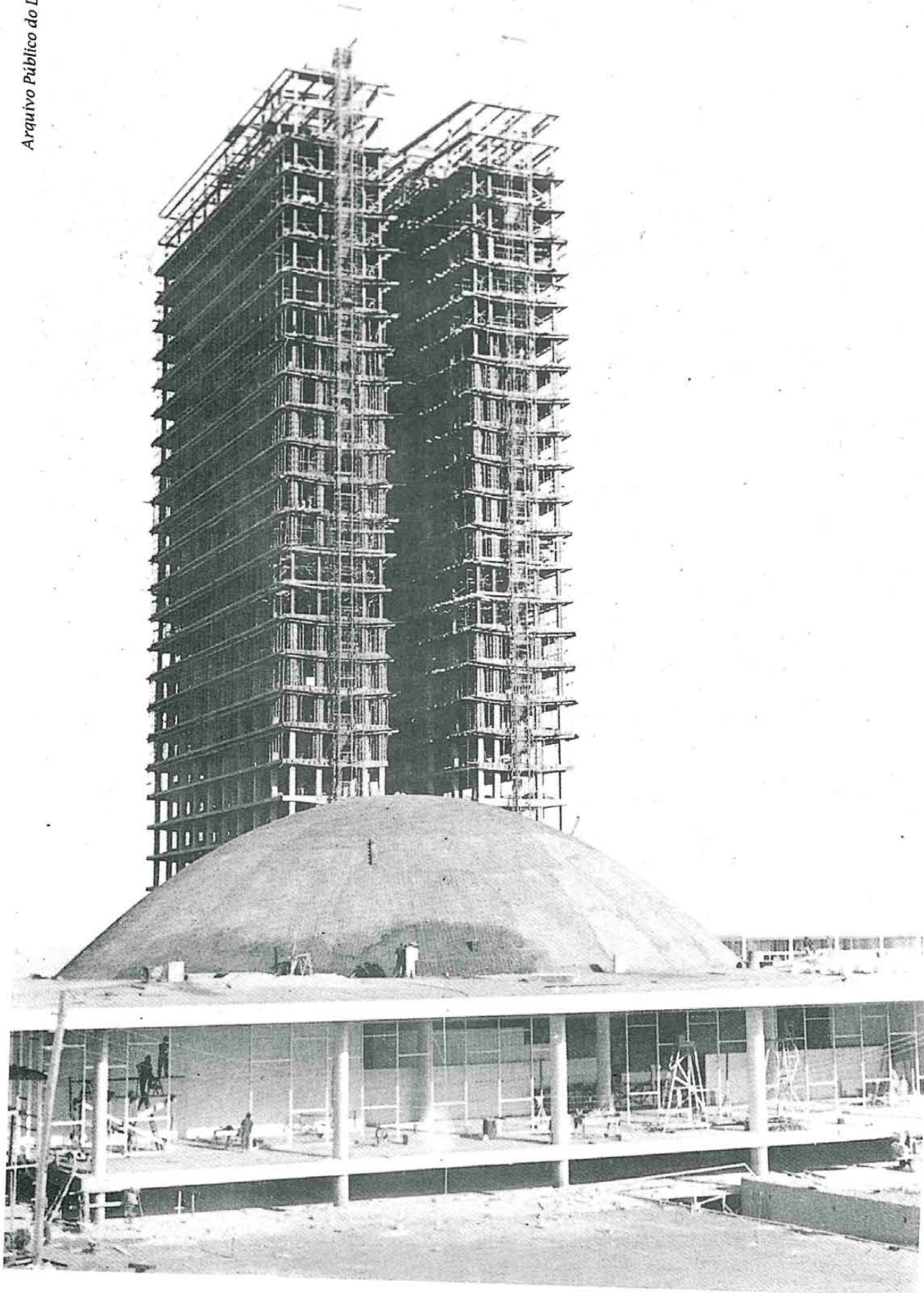
The Senator appointed to speak on behalf of that House in that ceremony was its Vice President, Filinto Müller, who stressed the nature of the sentiment that united the people in the determination of building the new capital-city, overcoming difficulties of all sorts:

To set on our Country the pace of development that has characterized our lives in these last four years, and that has already transformed us, from an underdeveloped Country into an economically strong Nation would be worth nothing (...); the preoccupations, the anxieties, the uncertainties and hopes of those who took upon themselves the responsibility of carrying out this remarkable task of national reconstruction would be worth nothing; none of this would be worth it, Mr. President and Congressmen, if we did not have, to crown all these gigantic efforts, the deeply humane objective of promoting the integration, within the life of the nation, of six million square kilometers, that form the "great void" of the Central Region of the Country, and, above all, of the people, abandoned and forgotten, but still indomitably brave and unsurpassably courageous, who stubbornly live in it and guard it, with immense love for Brazil.

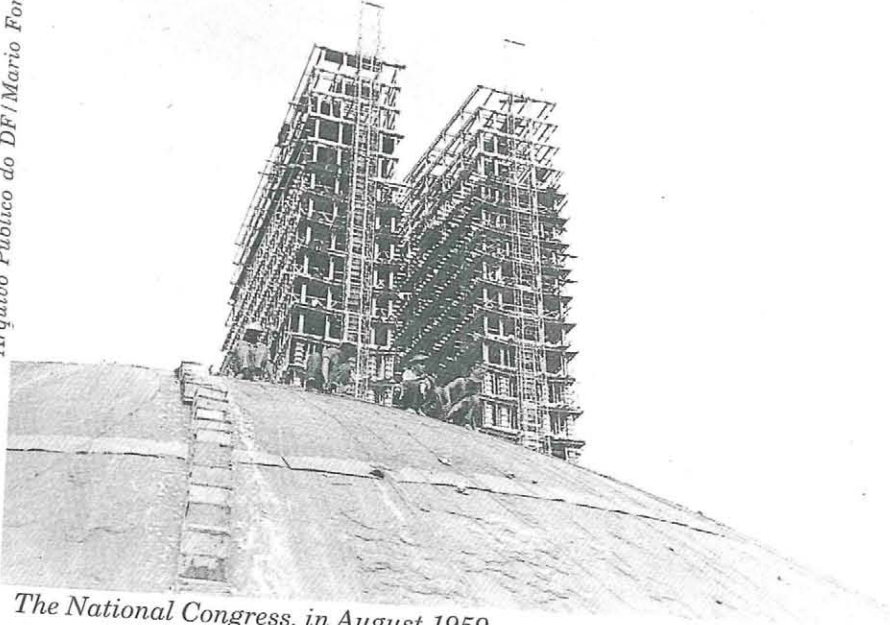
It is this integration, Gentlemen, what confers on Brasilia the generous and humane meaning that was understood throughout Brazil, that has thrilled Brazil, that mobilized Brazil towards this great feat!
(Müller, 1960b, page 83)

On the following day, a Friday, April 22, the Senate sat for the first time in Brasilia, in an extraordinary session, in which all party leaders had the floor. The Annals register the satisfaction of all political currents with the attainment of one of the great national objectives, in one of the most unanimous moments of a House, whose major purpose is that of conferring democratic expression to controversy.





Arquivo Público do DF/Mario Fontenele



The National Congress, in August 1959

Arquivo Público do DF



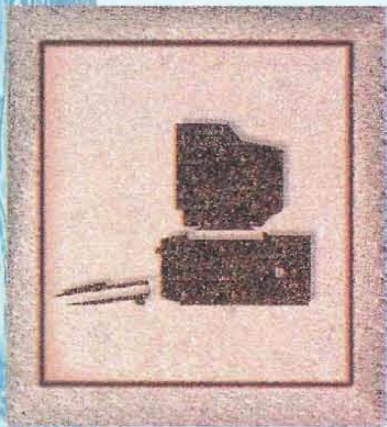
The inauguration of Brasilia, on April 21, 1960

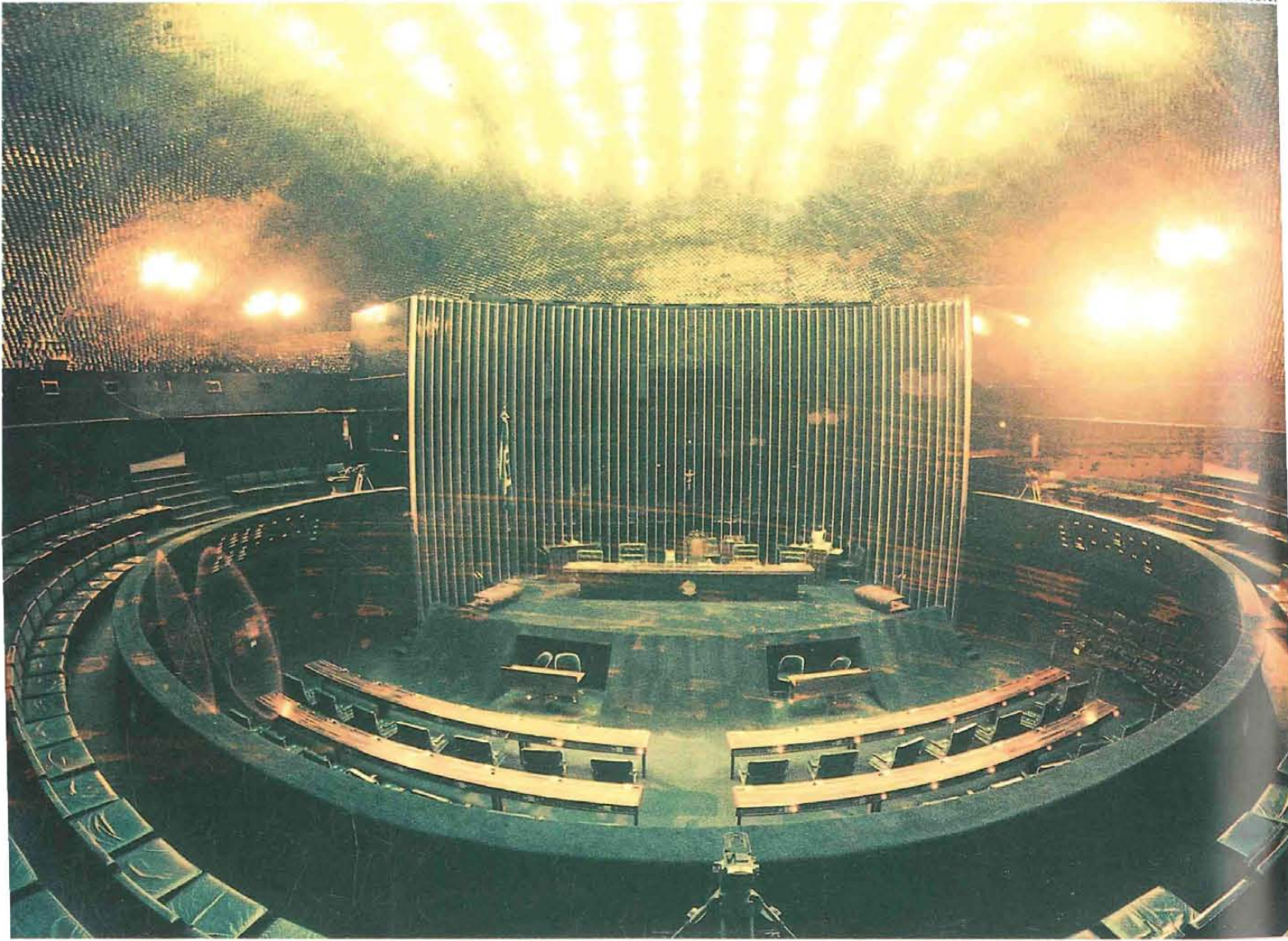


The inauguration of Brasilia, on April 21, 1960



THE SENATE TODAY





A view of the Plenary Hall

Premises

Architect Oscar Niemeyer had the opportunity of quoting Baudelaire to define one of the purposes of his work: “Beauty has to create amazement,” he says. In his work, the building of the National Congress, Brasilia’s favorite postcard, is no exception. The complex, that houses the Chamber of Deputies and the Federal Senate, is sheer visual impact.

As he started to think about the design of the Congress building, Niemeyer, although pressed by the hurried pace demanded by the construction of the new capital-city, left nothing to chance. The domes tried to put emphasis on the importance of the plenary halls, where all national issues are discussed. The lower volume of the main building – where the domes are located – is at the same level as the avenue. Doing so, Niemeyer complied with the proposal made by Lúcio Costa, the author of the design of the city built amidst the *cerrado* landscape: he avoided that a tall and massive building would block the panoramic view of the Plaza beyond, the cockpit of the “airplane.”

In a paper that Niemeyer himself included in his book *Minha Experiência em Brasília* (My Experience in Brasilia, 1961, page 45), he makes clear his defense of *an almost unlimited plastic freedom (...) that should not slavishly comply with technical and functional reasons, but one that should be, above all, an invitation for the imagination, for new and beautiful forms, capable of stirring amazement and emotion through the newness and creativity they represent.*

Further on, he concludes:

Had the Palace (of Congress) been designed in the academic spirit or had I been preoccupied with criticism, we should have a tall structure, blocking the view, instead of this esplanade that amazes many by its magnificence, that now stretches out in depth, away and beyond the building, over the esplanade, between the domes, embracing the Plaza of the Three Powers and the other architectural elements that comprise it, adding them up plastically and, thus, making the panorama of the complex much richer and more varied. (Niemeyer, op.cit., pages 50-51)

In this complex, the Federal Senate occupies an area of 145 thousand square meters, including the Printing Center and the Data Processing Center of the Federal Senate (PRODASEN). The Main Building houses the Plenary Hall and the Office of the President of the Senate, which includes a Visiting Authorities Room, where illustrious visitors are received. The administrative offices are located in Annex I, the high-rise building belonging to the Senate. Annex II, structure A, an extension of the Main Building, houses the offices of the Senators and the Library. In structure B are the Petrônio Portella Auditorium, the broadcasting studios and the Legislative Consultancy Office. Structure C, still within Annex II, holds the committee offices with the respective administrative areas.

The Senate, like a small town, has banks, restaurants, snack bars, a barber shop, a post office, a newsstand and areas for art exhibitions. Emergency electric power supply is accomplished through two 750 kW, two 470 kW and two 250 kW generators, totaling 1,470 kW. Thus, most of the energy demand of Annex I, such as the elevators, as well as all of the demand of the Main Building, and also, part of the demand of the Printing Center, are covered. Prodasen, due to the nature of its services and the delicate equipment it houses, has its own generators.

Annex I also has its own electric power supply for the data processing services, of

about 750 kW. The Undersecretariat of Stenography has a no-break system that maintains the electricity supply for 15 minutes, in case of an emergency, until the generator is activated. This is a means that makes possible the preservation of the data that has not yet been stored in the microcomputers' memory.

Structure

The Federal Senate has a logistic structure, essential for the carrying out of its constitutional mandates. Every two years, the Plenary elects the President (who is also the President of the National Congress), two Vice Presidents, four Secretaries and four Substitutes. It is the Directing Board, which, among other duties, runs the whole infrastructure complex, managed by the First Secretary. In his official engagements, the President is assisted by a Master of Ceremonies and his staff. The machinery that keeps the Federal Senate working is managed by higher assistance agencies, the General-Director's Office and by the supervised agencies.

The higher assistance is comprised of:

- *The General-Secretariat of the Directing Board, which has the duty to assist the direction of the business during plenary meetings and to supply relevant information to the procedure regarding legislative matters. It is in charge of the Undersecretariats of Legislative Coordination of the Federal Senate, of Legislative Coordination of the National Congress and of General Procedures.*
- *The Legislative Consultancy Office, which has the duty of assisting and advising the Board, the Committees and the Senators in the fulfillment of their legislative, parliamentary and oversight functions. Its work consists of the preparation of technical studies, drafts of bills, speeches and reports to assist Senators in the carrying out of their functions.*
- *The Social Communication Secretariat, which sets the public release policies of the House, informing the public about the activities of the Federal Senate and, when the two Houses are in joint session, of the National Congress. It is made up of the Undersecretariats of*

Newsmedia, Public Relations, and Electronic Technology.

- *The Advocacy Office of the Federal Senate, with the duty of assisting and advising the Board, and the other areas of the administrative structure of the House on legal matters, as well as supplying the Advocacy-General of the Union with information and technical support for the defense, in court and out of court, of the interests of the Federal Senate.*
- *The Budget Consultancy Office, with the duty of supplying consultancy and of advising the Joint Budget Committee, the Board, the other committees and the Senators with respect to public budgets and budget plans.*
- *The Internal Control Secretariat, which guides and oversees the making of the budgets of the Senate, the Printing Center and the Data Processing Center.*

The following are directly linked to the Office of the Director-General, which has the duty to supervise the administration of the House as a whole:

- *The Administrative Secretariat, in charge of the administrative activities of the Senate with respect to personnel, finance and assets, which controls the Undersecretariats of Personnel Administration, of Financial Administration, of Assets Administration, of Purchases, and of Contracts and Alienation.*
- *The Legislative Secretariat, which has the duty of directing the legislative activities of the Senate related to the Undersecretariats of Committees, of Stenography and of the Journal.*
- *The Secretariat of Documentation and Information, which, as the keeper and organizer of information within the Federal Senate, controls the Undersecretariats of Library, Analysis, Technical Publications, Annals and Archives. It is also responsible for the art collection belonging to the Senate, as well as for the Senate Museum.*
- *The Secretariat of Special Services, charged with the coordination and carrying out, among others, of construction and repair work, cleaning, as well as medical, dental and social assistance to Senators and employees. It is made up of the Undersecretariats of Engineering, of Social and Medical Assistance, of General Services and of Electronics.*
- *The Human Resources Development Center of the Federal Senate (ILB), charged with the training and professional improvement of the employees of that House.*





Bronze lamp, originally from the Monroe Palace

The Data Processing Center (PRODASEN) and the Printing Center (SEEP) are agencies supervised by the Senate.

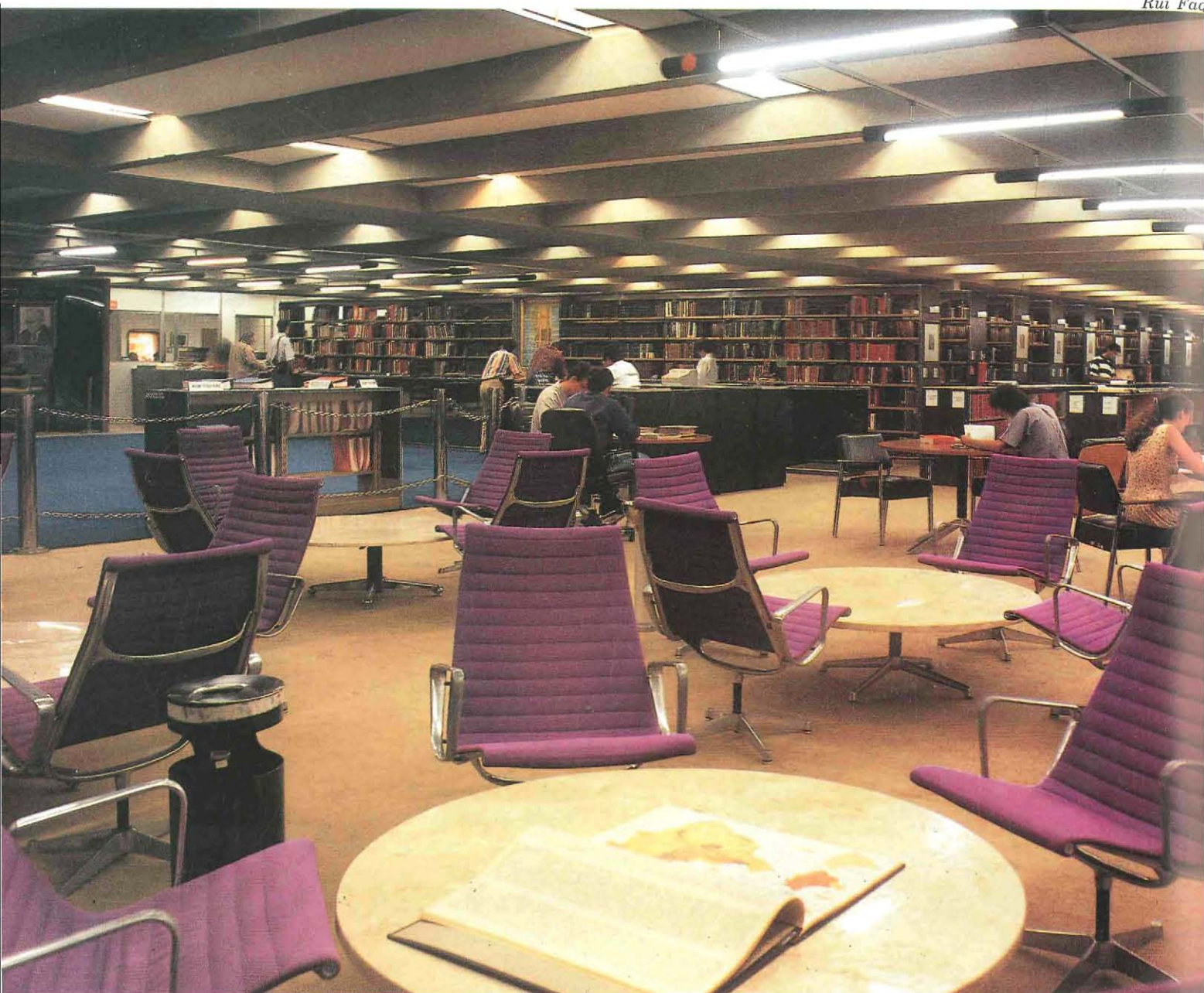
In Rio de Janeiro there is a Representation Office of the Federal Senate, a special agency which coordinates and carries out duties relevant to the activities of interest to the Senate in that state.

The Senate Museum

At the entrance of the Federal Senate Museum, two works of art, conceived with different artistic approaches, cause identical impact on the visitor: on one side, the oil painting by Gustavo Hastoy, picturing the signature of the Constitutional Bill of 1891, the first of republican times; on the other side, a huge contemporary panel by Mariane Peretti, made of tempered glass, sand blasting and iron.

Located in the Senate's Honor Hall (*Salão Nobre*), where visiting authorities are received by the President of the House prior to solemn sessions, the Museum has imposing red-velvet upholstered furniture that belonged to the Conde dos Arcos Palace, in Rio de Janeiro, where the Senate was quartered from 1826 through 1924 – and a round table with a wooden base and a mosaic top made with pieces of marble from all over the country. The sculptures and chandeliers came from the Monroe Palace, seat of the Senate from 1925 until 1960, when Congress was transferred to the new capital.

Among other pieces, the Museum holds two cast metal urns, which were part of the desk of the Plenary Hall in the Conde dos Arcos Palace, as can be seen in the painting by Vítor Meireles, which shows the swearing-in of Princess Isabel as Regent in 1871. Two galleries show the presidents of the Senate during the Empire and the Republic. The Museum also has a bronze inkstand, brought from Europe by the then President of the Senate, the Viscount of Abaeté, in 1868. The paperwork that made the purchase possible is also exhibited. The



Museum also displays an oil painting by Décio Vilares, titled *Profile of a Lady Symbolizing the Republic*.

The art collection of the Federal Senate is not restricted to the Museum's premises. There are roughly 400 paintings distributed in the offices of senators, directors and other facilities of the House, including, among others, seascapes by Carlos Scliar and Aldemir Martins, the *Sertaneja do Maranhão* by Djanira, as well as works by Rubens Zevallos and Burle Marx.

The Senate Library

The history of the Academician Luiz Viana Filho Library starts in 1826, when the

Chamber of Senators of the Empire of Brazil decided to create the Library of the Senate. However, it was only in 1866 that the first books of the stock were purchased. At the end of 1896, the Library already had a stock of about 6,000 items, including the most up-to-date literature in the area of Law and of the constitutional History of several countries. In 1898, the activities of preparation of catalogues were concluded, a task which had been assigned by the President of the Senate, Manoel Vitorino Pereira, to Mr. Villa-Lobos.

Until 1924, the library occupied the Palace of the Federal Senate, in Rio de Janeiro, adjacent to the seat of the Conde dos Arcos Palace. Later it was moved to the



Monroe Palace, where it remained until 1960. In 1961, with the moving of the capital of the Republic, the library was transferred to the Palace of the National Congress, in Brasília.

In 1972, its activities were automated. The Subsystem of Administration of Libraries (SABI) was developed to provide support for these activities. In 1979, after having undergone works of enlargement and renovation, it was named Academician Luiz Viana Filho Library, in honor of the President of the Senate at the time.

The library stock, with approximately 150 thousand items, is specialized in Social Sciences, with emphasis in Law and Political Science. It comprises 3,600 periodicals and two thousand rare items. Among the rare periodicals we can find the *Gazeta do Rio de Janeiro*, which circulated for the first time on September 10, 1808, a few months after the establishment of the *Imprensa Régia* (Royal Press) in Brazil; the *Correio do Rio de Janeiro*, which circulated in 1822 and 1823; the *O Repúblico*, founded by Antônio Borges da Fonseca in 1808, and which did not spare the Emperor and the government from criticism; the *Revista Brasileira*, published during three different periods (1857-1861, 1879-1881, 1895-1898), having among its collaborators names such as Machado de Assis and Alfredo Taunay; and the *Revista do Brasil*, founded in 1916, and bought two years later by Monteiro Lobato, who tried to turn it into a nationalistic publication. Among the rare or valuable books, it is worth mentioning the *Novus orbis descriptions indiae occidentalis*, by Joannes de Laet, the oldest item of the collection, dated 1633; the *História do Brazil*, by Robert Southey (1862), the first major documented work on the subject; and the *Collecção dos tratados, convenções, contratos e actos públicos celebrados entre a Coroa de Portugal e as mais potencias desde 1640 até o presente*, compiled, supervised and annotated by José Ferreira Borges de Castro (1856-1858) – this book was part of the first list of purchases of the then *Livraria do Senado*, in

1866; and the first official edition of the *Constituição Política do Império do Brazil* (1824), printed by the National Printing Shop.

The stock of microfilmed works constitutes an important source of historical research. It comprises 130 titles of documents, among which copies of old newspaper issues (since 1824) and ministry and presidential reports of the periods of the Empire and of the First Republic.

The collection of newspaper clippings is one of the richest and most complete of the Federal District. Started in 1974, it has approximately 5,500 subjects, covering several topics, with about 2 million clippings selected from the following newspapers: *Correio Braziliense*, *Jornal de Brasília*, *O Globo*, *O Estado de S. Paulo*, *Folha de S. Paulo*, *Gazeta Mercantil*, *Jornal do Brasil* and *Jornal da Tarde*.

The Senate Library coordinates the SABI Network, composed of 16 libraries, including the library of the Chamber of Deputies, libraries of courts, of ministries and of public agencies of the Federal District. Cooperatively, these institutions feed five databases: BIBR (monographs and special materials), PERI (periodicals), JORN (newspaper articles), AUTR (standardized entries), and VCBS (controlled vocabulary for indexing and retrieval).

Since 1986, the Library has been in charge of the publishing of the *Bibliografia Brasileira de Direito – BBD* (Brazilian Law Bibliography). The aggregate edition of the BBD, including publications since 1980, was issued in CD-ROM format in the first half of 1996. The Library is also responsible for the publication of bibliographies about specific subjects and other publications of interest to the Federal Senate.

Along its history, the Library has been providing the necessary informational support for the activities carried out in the Federal Senate and in the National Congress. By combining the techniques of Librarianship with the new technologies of

information science, it demonstrates its mission to make it available to the users increasingly effective means of storage and retrieval of information.

The Archives

Created in 1950, for the purpose of, among others, cataloguing the most important documents relating to the parliamentary history of Brazil and classifying the proposals whose examination procedures had been completed, the Archives of the Federal Senate were transformed into an Undersecretariat in 1972. Today it is divided into four sections: the Archives of Proposals, the Archives of Publications, the Historical Archives, and the Administration.

The basic duties of the Section of Archives of Proposals are the classification, cataloguing and filing of legislative proposals whose examination procedures have already been completed. It is also responsible for the custody of the documents of Parliamentary Inquiry Committees.

The Archives of Publications are an important source of consultation for researchers, since they keep collections of gazettes of the National Congress, of the Union, of the Federal District, and of the Judiciary System, besides the Annals of the Federal Senate and of the National Congress.

The Historical Archives keep documents of real value to the History of the Country, and organize catalogues of them. They do research upon request and provide copies of documents. They receive from the other Sections all documents which have been in file for over twenty years.

The Administration Section organizes the senators' biographies, keeps a file of photos of senators and of authorities who visit the



The Senate TV

National Congress, and collects data for a publication called *Dados Biográficos dos Senhores Senadores* (Biographic Data of Senators).

The Senate and the Social Communication

In tune with today's trends of institutional communication, the social communication system of the Federal Senate underwent thorough restructuring during the last two years, which resulted in the supply of new products and services to the Members, the media and, above all, society. Such services as the *TV Senado* (Senate TV), the *Jornal do Senado* (Senate's Newsletter) and the *Rádiosat*, as well as the *0800Senado – A Voz do Cidadão* (0800Senate – The Citizen's Voice) service, became fundamental factors in the continuous purpose to bring the Federal Senate closer to Brazilians of all regions, and to give greater transparency to parliamentary activities.

Broadcast by the cable TV system, *TV Senado*, with a daily programming of 15 hours, reaches more than 60 municipalities and metropolitan areas. Soon, thanks to *Direct to Home* (sound and image reception

through small individual satellite dishes), the broadcasting station will reach all subscribers of this type of pay-TV system, although the images are permanently available to the public and private broadcasting stations that work with open signal.

The *Jornal do Senado*, with 18 thousand daily issues, is sent to five thousand municipal administrations, state governments, legislative assemblies, city councils and authorities in the Executive and Judiciary branches; it is also available through

stations and a special program for the Amazonian region, providing a 24-hour service to the press offices and radio broadcasting stations.

The *Rádio Senado FM* (VHF Senate Radio) will be broadcasting regularly from 1997 onwards in the Federal District. It will be possible for its signal to be repeated by other broadcasting stations in the country and the complete programming will be broadcast in real time through the Senate/*Radiosat* system.

Adão Nascimento



Satellite dish used by TV Senado for broadcasting

Internet, in the Senate's World Wide Web page, the multimedia portion of the computers' world net.

The *Agência Senado* makes a daily distribution to one hundred selected news media of all the news coverage about the activities of the committees and the plenary, and *Radiosat* produces both the news bulletins to be distributed to more than 400 radio

The Public Relations sector has expanded the program *Conheça o Senado* (Know the Senate), which receives about 20 thousand domestic and foreign visitors yearly, offering a tour of the Senate premises on weekends. The virtual tour of the Senate will be available to Internet's 50 million users, in Portuguese, English and Spanish. The *0800Senate – The Citizen's Voice* is a direct communication link between the Senate and society.

The Social Communication Secretariat has been engaged in establishing a daily and close connection between the 81 representatives of the units of the Federation in the Senate and the 100 million Brazilian constituents, thus contributing in a localized and positive way to the improvement of the country's institutions and national political usages.

Prodasen

Electronic data processing was at its beginnings in Brazil when Senator Petrônio Portella, President of the Senate in 1972, decided to adopt it and to invest heavily in a large data processing center.

In those days, some found the initiative extravagant, to say the least. After all, the Legislative was a consented power, with the sword of Damocles of Institutional Act n^o 5 permanently hanging above its head.

Questioned about it by the respected journalist Carlos Castello Branco, Portella answered that the parliament should be ready to fully exercise its political and legislative functions as soon as the country became a democracy again. In his view, the role of Congress, at that stage, would be considerably hindered if it did not have the adequate electronic equipment.

Portella, who fought for the redemocratization of the country until his death, anticipated the future. It was due to his initiative that, in 1991, the then President, Senator Mauro Benevides,

was able to carry out an ambitious and modern data processing project for the administrative and legislative areas of the Senate.

The Data Processing Center of the Federal Senate (PRODASEN) was opened on October 12, 1972. Its first task was to automate the federal Budget calculations, which until then had been done manually.

The automation of the Budget was the first step toward a comprehensive automation of all the activities of the Federal Senate. The idea was to implement a far-reaching project, which would not only speed up the Budget, but would also contribute to the improvement of the actual legislative process and the administration of this House.

Rui Faquini



Prodasen



The Senate, through competitive bidding, purchased the most up-to-date hardware and programs available in the world, setting a pattern that would become characteristic of Prodasen. Since its inception, Prodasen has always sought to keep pace with the developments in the field of information technology, keeping itself updated with respect to new developments and acquiring the equipment necessary to render its services more efficient.

In 1996, Prodasen operates with a 9021 IBM computer model 580, capable of processing 64 million instructions per second, with a memory of 256 megabytes. Besides the mainframe equipment, it has a modern network, based on the client/server philosophy with more than 2,500 computers, which allows integration of all users, guaranteeing the quick transfer of information between the various sectors of the Senate.

This type of technology allows the users to be independent from the central system for the carrying out of their routine activities. For example, in the old days, when a senator had to write a bill or a letter, he had to share computer time with the budget processing or the payroll processing. Today he can do it on the personal computer installed in his office, without any interruption.

Prodasen places at the disposal of society the National Congress Information System (SICON). This important database is stored in the mainframe computer and can be accessed through the personal computers located in the various offices and sectors of the House. This database stores all the Brazilian legislation, down to the level of decree, enacted since 1946, as well as all the jurisprudence from the decisions of the higher courts.

Also stored in the Sicon are the data referring to the Members and their legislative activities. The database stores the speeches, the bills introduced and a biography of each Member. The system also allows the search of the procedure status of any bill being examined by the National Congress,

stores the information related to the drawing up of the 1988 Constitution, the Constitutions of 26 countries, as well as information about all the elections held in Brazil since 1978.

In tune with the most up-to-date trends in the use of information technology, Prodasen has successfully met another challenge: it set up the VIP System – Voice and Image from the Plenary Halls. Linked to Prodasen's communication network, the VIP System has TV cameras in the plenary halls of the Federal Senate, the Chamber of Deputies, the committee offices, enabling the debates to be transmitted to the offices of the senators. The signals are fed to the computer screens installed in these offices. It is the modern multimedia technology at the service of the diffusion of information in the Parliament.

The technology used by the VIP System allows this service to be accessed at the same time as the personal computer is being used for routine office activities. Part of the screen can receive the television signal, while the rest of the screen is free for writing or other jobs.

In addition to the display of the events inside the National Congress, the VIP System is able to access the commercial television channels, which allows the monitoring of the press coverage made by that medium.

Another important activity performed by the VIP System is the training of employees, who have on-screen courses in basic and advanced studies. The classes transmitted through the closed-circuit television may include tasks to be performed on the computers simultaneously with the course. The VIP System also shows documentaries and programs of journalistic content produced by the Federal Senate's Video Center.

The Senate Printing Center

The need to keep pace with the speed of the legislative process made the Senate opt for the setting up of a printing plant. The Federal Senate Printing Center (SEEP) is set on an area of 65 thousand square meters and caters to the legislative needs of the Senate





The Senate Printing Center – Hell DC 380T cylindrical scanner

and of the Chamber of Deputies. The demand is such that the SEEP employees work in four shifts, keeping the Printing Center operating on a permanent basis.

When the Federal Capital was the city of Rio de Janeiro, the printing needs of the National Congress were met by the National Press Department, an agency of the Executive Power, charged with the publication of the *Diário Oficial* (Official Gazette). The move to Brasilia hindered the supply of services to Congress, because the government's official press was not fully transferred, functioning precariously and delaying delivery of the ordered publications.

After an evaluation of this problem, on August 14, 1963, the President of the Senate, Auro Moura Andrade, decided to establish a printing service department within the Federal Senate. This small printing shop operated on the 27th floor of the annex building of the National Congress, and soon afterward was transferred to a shed on a vacant lot beside the main building.

The original premises of the then called Printing Service of the Federal Senate were finished in March of 1964, but it was in the early seventies that the Printing Center made the technological leap that turned it into one of the best and most well-equipped printing plants of the country. At that time, offset printing was installed and the agency increased its capacity to fully meet the needs of the Congress.

Since 1990, the Printing Center of the Federal Senate has been keeping pace with the technological developments that are swiftly taking place, as a direct consequence of the digital revolution which occurred in graphic arts in general, eliminating the monopoly of the printed form as the only means to store and spread information. Today, printing also represents a technique of output of texts and images which are electronically stored, processed and transported. The traditional processes, knowledge, and forms of organization in the pre-printing area of graphics have become obsolete with the in-

troduction of information technology, which gave to the graphic equipment new dimensions in the decisive factors of competitiveness: quality, availability in the adequate place and time, compatibility with the environment and profitability.

Undoubtedly, technological development was driven by the digital revolution, which today influences decisively and irreversibly all phases and methods of production of printed materials. As a result, pre-printing, with the elimination of time-consuming stages, excessive labor and unhealthy sectors, comes closer and closer to printing itself, and both are close to a perfect symbiosis which has already started to evolve on this eve of the year 2000.

It is the definitive integration of machines that deal with the various processes and systems in the planning of graphic production, which is visible today in *direct-to-plate*, *direct-to-print* and *direct-to-paper* graphic systems.

It is the automation of the printing industry, to which the Printing Center of the Federal Senate has integrated itself completely and irreversibly, doing away with steps of the production process, minimizing the waste of paper with the exclusion of photoliths, and having a highly positive impact on the environment.

The Printing Center has been developing a quality partnership with Xerox do Brasil, from which it has purchased four Docutech electronic printers, a technological revolution in the field of graphic arts.

The Xerox configuration has improved the performance of SEEP and has increased its productivity. This new orientation has brought to SEEP, as a Xerox partner, greater satisfaction and business improvement. An example of this improvement is the Social Communication Secretariat, a client of Seep within the Senate. The Secretariat used to make a newsletter for internal circulation with 2 thousand issues; today, thanks to the adoption of Docutech ma-

chines, the newsletter has national circulation with 60 thousand issues.

Docutech's major differential is its capacity to aggregate fixed data – in this case, the newsletter itself – and variable data – the receivers' addresses. A manual addressing system would greatly increase production time. As it is automated, the newsletter leaves the printer ready for distribution. The new equipment has also improved the manufacturing process of the Annals of the House of Representatives and of the Senate. It has saved time and space and eliminated any possibility of misplacement of the daily reports of the sessions – which make up the Annals – now kept in an easily accessed magnetic tape.

The day-to-day work of the Printing Center is the publication of the order of the day of the sessions, as well as the single prints of the bills of law to be examined by the Fed-

eral Senate, by the Chamber of Deputies or by the National Congress. Seep is also charged with the publication of the *Diário do Congresso Nacional* (The National Congress Daily), the official publication of the Legislative. In addition, the Printing Center publishes books, newspapers and magazines ordered by the various sectors of Parliament, as well as all the stationery that supports the functioning of the two legislative houses.

Today, all phases of the production process – from the creation of layouts and composition (electronic layout and pagination), pre-printing (photomechanical and photoelectronic) and offset printing, to the finishing procedures – are computer controlled. SEEP has definitely accepted the digital revolution, and everything there is based on electronic information technology. Thus, it is able to better monitor all production stages, with gains in quality and productivity.

Rui Faquin



The Senate Printing Center – Cromoset Rotary Press



THE SENATE
AT THE END OF
THE 20th CENTURY



Marco Túlio Cicero's maxim that "all things change and we change along with them" (*omnia mutantur et mutamur in illis*) is true today. While the contemporary Senate still keeps, in their essence, the principles of political philosophy that were present at its inception and ensure its continuity, it has adapted itself to the demands of the times. It has evolved. It is not a House for the nobles only, as happened during the First Empire. However, though it is no longer an exclusive assembly of members of the social elite, it still maintains, as one of its features, that of being a Chamber where a significant part of the political elite congregates. It suffices to say that 29 of the 81 senators (over one-third) of the 50th Legislature (1995-1999) have already been State Governors and one of them (José Sarney), who presides over the Senate during the 1995-1997 biennium, has been President of the Republic.

The following Senators governed their States: in Acre, Flaviano Melo and Nabor Júnior; in Alagoas, Guilherme Palmeira; in Bahia, Antonio Carlos Magalhães; in Espírito Santo, Elcio Alvares and Gerson Camata; in Goiás, Onofre Quinan and Íris Rezende; in Maranhão, José Sarney, Epitacio Cafeteira and Edison Lobão; in Mato Grosso, Júlio Campos; in Mato Grosso do Sul, Ramez Tebet; in Minas Gerais, Francelino Pereira; in Pará, Jader Barbalho; in Paraíba, Ronaldo Cunha Lima; in Paraná, Roberto Requião; in Pernambuco, Carlos Wilson; in Piauí, Lucídio Portella, Freitas Neto and Hugo Napoleão; in Rio Grande do Norte, Geraldo Melo and João Agripino; in Rio Grande do Sul, Pedro Simon; in Roraima, Romero Jucá; in Santa Catarina, Espiridião Amin, Casildo Maldaner and Vilson Kleinübing; in Sergipe, Antônio Carlos Valadares.

It should be emphasized that both the President and the Vice President of the Republic, Fernando Henrique Cardoso and Marco Maciel, have also been Senators, and also the present State Governors Divaldo Suruagy, in Alagoas; Amazonino Mendes, in Amazonas; Wilson Martins, in Mato Grosso do Sul; Almir Gabriel, in Pará; Garibaldi Alves Filho, in Rio Grande do Norte; Mário Covas, in São Paulo; Albano Franco, in Sergipe; and Antônio Mariz, in Paraíba, who died while in office.

As it happens to the country, whose thoughts and feelings they represent, the Senate and the Congress are going through a period of adjustment to the new institutional order and to the growing demands of economic growth and social well-being.

The transition from the dictatorial rule, established in April 1964, to the democratic regime took place by means of a patient and persistent political strife. Although governed by a casuistic electoral legislation, the 1982 general election gave the opposition parties the majority of the seats in the Chamber of Deputies, as well as the governments of major States, reflecting a new trend of the voting population.

In face of the new evidence, the regime managed to avoid direct elections for the Presidency of the Republic, even after the remarkable campaign of Direct Elections Now, in 1984, that mobilized the Brazilian people in gigantic public demonstrations, such as never seen before.

However, they failed to prevent the peaceful revolution that followed, and which resulted in a new insight by the responsible political and social sectors – Senators, Federal and State Deputies, Governors, party leaders and class representatives – making them join the democratic flow. The movement



reached its peak in the Electoral Collegiate Body that elected Tancredo Neves and José Sarney President and Vice President of the Republic.

The facts would enlarge the dimension of the events that marked the candidacy for the Vice Presidency of the Republic. In the evening of March 14, 1985, the eve of his inauguration, Tancredo Neves was hospitalized and underwent serious surgery. The Director of the *Hospital de Base*, in Brasília, Dr. Gustavo de Arantes Pereira, forwarded a statement to the National Congress, informing that Tancredo was temporarily unable to leave hospital.

In view of these facts, the President of the Senate and of the National Congress, José Fragelli, installed in office the Vice President elect, in order to exercise the Presidency of the Republic “during the temporary impediment of the President elect.”

Once again, the prompt and firm action taken by José Fragelli dictated the course of events. On the evening of March 14, he was at the Portuguese Embassy, as guest to a dinner-party held in honor of Tancredo Neves by Mario Soares, President of the Republic of Portugal, when he received the news that Tancredo would not be able to attend.

Soon afterwards, word got to Congress that Tancredo had been hospitalized in the *Hospital de Base*, and would have to undergo surgery. It was suggested that the Congress session convened for the following day in order to install the President and Vice President elect be postponed. Also, the hypothesis was raised that the President of the Chamber of Deputies, and not the Vice President elect, should be provisionally installed in office as interimistic President of the Republic. Once again, Fragelli maintained, with basis on the Constitution, that after being installed in office the Vice President should replace the President during his temporary impediment.

The President of the Senate reports that *never did Ulysses Guimarães doubt that the Vice President elect should replace Tancredo Neves.*

Nevertheless, and throughout the night, pressures to install the President of the Chamber of Deputies in the office of President of the Republic, were felt inside and outside the Parliament. When Minister Leitão de Abreu, the Head of the Civil Cabinet, was informed by Fragelli that the Vice President elect should be installed in office, he tried to remonstrate that Ulysses Guimarães was the one entitled to it. Defeated by the Constitutional text and by the firm opinion of the President of the Senate, Leitão de Abreu gave the news to the then President of the Republic, General João Baptista de Oliveira Figueiredo, who stated that he had no intention to pass the office to José Sarney.

Still in the small hours of that day, Fragelli called a meeting of the Senate’s Directing Board to officialize his decision.

Sarney took office, provisionally, as President of the Republic on March 15, 1985. He became the office-holder on April 21 of that same year, as a result of Tancredo Neves’ death.

It was still José Fragelli who, upon closing the 47th Legislative Term, evoked the importance of those events, as well as the decisive participation of the Senate and of Congress in their course:

The Forty-Seventh Legislative Term was, indeed, a leap from yesterday into tomorrow, through which Brazil was reunited to the political system of its democratic vocation. During this period, a page of History was turned and a new chapter began to be written. It is useless to recall the decisive moments of that battle, since they are in everyone’s memory. We praise the heroes that fell in it, among which the great personalities of Tancredo Neves and Teotônio Vilela, men who did honor to and conferred dignity upon the Senate of the Republic. It is worth noting the role performed by the Parliament in that historical turning point, which was painful but nevertheless peaceful, due to its having been coordinated and captained by the political action headquartered in the National Congress. Were it not for the debates held here, the negotiations that took place here, the directions from the leaders who took refuge here, the changes in the system, perhaps, would have been undertaken through revolution, and not through evolution. (Fragelli, 1986, page 4943)



The times we are going through were marked by radical change. The fall of the Berlin wall instituted a new order in international relations, which had deep consequences on the political, economic and social internal behavior of each nation.

The work of the Senate and of Congress has been directed towards keeping pace with the swift evolution that is taking place in all fields, notably in the constitutional reform and in the modernization of the technical-bureaucratic system.

The need to adapt the 1988 Constitution to the requirements of the new times was soon felt, and that reform was attempted in 1993, in accordance with article 3 of the Temporary Provisions, which prescribed that the promulgation of amendments would call for the vote of an absolute majority of the members of the National Congress, and not of the three-fifths, as prescribed in article 60.

That attempt failed, however, as it was hindered by a number of political circumstances, among which the most important was the simultaneous establishment of the so-called Parliamentary Inquiry Committee on Corruption, which removed from office a significant number of parliamentarians.

This Inquiry Committee held, in all, 111 meetings, including both public hearings and work meetings, it took 77 testimonies, and undertook 28 external investigations. The National Congress, which had considerably risen in the public opinion with the proceedings of President Fernando Collor's impeachment, saw its image suffer considerable damage during that episode, that became a favorite subject with the media, because it involved scandals and acts of corruption.

In order to rescue the Parliament's prestige, the Directing Board of the Senate,

chaired by Senator José Sarney, undertook deepgoing reforms, stressing three basic topics:

- 1) Achieving massive attendance of parliamentarians to plenary meetings and to meetings of the Standing, Temporary, Inquiry and Special Committees;

- 2) Drawing up of an administrative reform, aiming at modernizing and adapting the Senate to the requirements of the new times, dominated by computer technology;

- 3) Establishing a communications system linking the Senate to the people, by means of all the instruments afforded by technology (radio and television, especially).

Today, for instance, the people can watch the live transmission, by a special television channel, of the work and debates held in the Senate, both in the plenary hall and in the technical committees.

The effort toward the full adoption of computer technology was initiated during the term of Senator José Fragelli as President of the Directing Board; it proceeded with Nelson Carneiro and it gained renewed importance in the terms of office of Humberto Lucena and Mauro Benevides. It is now being put to practice and brought to accomplished results by José Sarney.

President Sarney, besides promoting the administrative reform and determining the setting up of the cable television system, succeeded in obtaining a very high quorum in all sessions, which resulted in the passing of dozens of bills every month, including the amendments to the Constitution requested by the Executive Branch, seen as essential to rendering the country governable.

Times change, and the Senate and the Congress change along with them.



THE SENATE - BRAZIL

During all of its existence, the Senate has worked and works still for the making of a Brazil such as described by Paulo Pinheiro Chagas and dreamed of by all Brazilians:

A Brazil that brings together its dissident children, in a true communion of wills. Brazil of Caxias and of Ruy, strong in its unity, unanimous in its juridical faith. A Brazil without wrath or falsehood, loving its soldiers and respecting its public men. A Brazil of spirit, abominating the brutality of force, stubbornly attached to the privileges of intelligence. A humane Brazil, amending the injustice of the economic inequalities. Popular, white and black Brazil, with no discrimination and no deceit. Impersonal Brazil, contrary to the hegemony of groups or categories. National Brazil, above parties and factions. Brazil of all. Brazil of no one. (Pinheiro Chagas, 1955, op. cit., page 5399)

The Senate has worked and works still for this ideal because it is, in the able opinion of Afonso Arinos *the judicious chamber; the group that gives opinion, that guides and makes itself heard in specific political situations; the summit of the Legislative Power, the finest ornament of the institutions of the Federative Republic of Brazil.*



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The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This not only helps in tracking expenses but also ensures compliance with tax regulations.

In the second section, the author provides a detailed breakdown of the company's revenue streams. This includes sales from various product lines and services. The analysis shows that while one product line is currently the primary source of income, diversification into new markets is essential for long-term growth.

The third section addresses the company's financial health and liquidity. It highlights the need for a robust cash flow management strategy to ensure that all operational needs are met. The author suggests implementing regular financial reviews to identify potential risks and opportunities early on.

Finally, the document concludes with recommendations for future strategic planning. It suggests that the company should focus on innovation and customer engagement to stay competitive in a rapidly changing market. The author also recommends seeking professional advice to optimize the company's financial structure.