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Top PT Party Leader Barred from Public Office

by LADB Staff

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The politician who was once President Luiz Inacio Lula da Silva's most powerful advisor has lost his battle to thwart proceedings to remove him from the Congress and ban him from politics. Congressman Jose Dirceu lost a Dec. 1 vote against him after all his legal appeals to avoid an impeachment vote ran out. Dirceu's removal is the latest in a series of blows to the image and strength of President Lula and his Partido dos Trabalhadores (PT). Dirceu and Lula assert that there is no proof for the accusations against him and that the vote to remove Dirceu was politically motivated.

Dirceu banned from office until 2015

For months, Dirceu, 59, has fought the accusations against him, saying there was no proof that he participated in a bribes-for-votes scheme with legislators allied with the PT. The vote against Dirceu was 293-192, and it required only a simple majority of 257 of the 513 seats in the lower house of Congress to find him guilty of charges of "breaking parliamentary decorum." The politician will not be able to hold public office until he is almost 70 years old, since his eight-year ban on holding office begins at what would have been the conclusion of his current term as a legislator in 2007.

Earlier this year, corruption allegations forced Dirceu to resign as President Lula's chief of staff ([NotiSur, June 24, 2005](#)), ending fifteen years of working as Lula's closest aide. The former political prisoner received guerrilla training in Cuba and lived clandestinely in Brazil during the 1964-1985 military dictatorship.

From 1995 to 2002 he was president of the PT and served as Lula's Cabinet chief from June 2003 to June 2005. "There was no corruption in the government," said Dirceu, calling his removal a "political throat-cutting" that falsely besmirched 40 years of public service. "My party committed errors, but if we look at the balance of what it did for the country, the PT has more credit than debit, that will be seen in the next elections."

After resigning from Lula's Cabinet, Dirceu returned to his seat in the Chamber of Deputies, where he tried to outmaneuver the impeachment charges through a series of appeals to the Supremo Tribunal Federal (STF). His appeals ran out on Nov. 30 after justices at the STF, Brazil's highest court, voted 6-5 to allow the final vote on the ouster proposal before the Chamber of Deputies.

Lawmakers were ordered to void testimony that the court judged unconstitutional, but it was not enough to save Dirceu from the vote the next day. Justices including Marco Aurelio de Mello

said the lower house's ethics committee violated constitutional rights by hearing testimony after Dirceu had concluded his defense. By choosing to fight the impeachment rather than resign, Dirceu gambled and lost his right to hold public office.

Dirceu and the PT are accused of illegal campaign financing and of bribing allied lawmakers for their support in Congress. Key allegations include claims that the party maintained a second campaign treasury in offshore banks that they did not report to electoral or tax authorities. Roberto Jefferson, a deputy for the right-wing Partido Trabalhista Brasileiro (PTB), caused a political earthquake when he leveled accusations that PT officials were delivering monthly bribes of US \$13,000 to members of Congress so they would vote in favor of the party's legislative proposals.

The scandal of the "mensalaos," or monthly payments, has forced several congressmembers to decide between resigning their posts and facing ethics inquiries that may end in impeachment. Dirceu, after Jefferson, is the second congressmember to be expelled in the scandal. Two other lawmakers have resigned while congressional panels are probing the charges and a dozen more face investigations. Lula has not been directly linked to the scandal.

The day before the vote against him, Dirceu was attacked physically in the halls of Congress. The 67-year-old writer Yves Hublet hit Dirceu twice in the head with a walking stick while they were in front of a group of journalists. Hublet called Dirceu "Freston" as he attacked him and later told journalists to read Don Quixote. The character Freston was an enchanter that Don Quixote imagined as his archenemy and who, according to the knight-errant, transformed giants into windmills and robbed him of his victory.

Quixote also thought the magician had stolen his library. Dirceu said he intended to file a complaint against Hublet for the assault. Congressional investigation finds no proof of bribes A congressional investigation found in mid-November no evidence of the alleged bribes-for-votes scheme, the head of the probe said on Nov. 17 while reporting on the scandal. Congressman Ibrahim Abi-Ackel said there was evidence that some legislators received "undue financial advantages." But he said the panel could not say for sure if they were paid to support the government in Congress.

The accusations so far have been built largely on testimony from aides, spouses, and other people associated with legislators implicated in the corruption scandal. But no documents have yet surfaced tying specific payments to specific legislators for specific votes. "It is not possible to implicate legislators who appeared to receive illicit financial gains in light of the absence of concrete proof," said panel chairman Abi-Ackel of Brazil's Partido Progressista Brasileiro (PPB), in his final report.

Abi-Ackel's report lent support to government assertions that it did not bribe legislators but simply helped PT lawmakers and allies pay campaign debts. The party's former treasurer Delubio Soares, who quit on July 5, has acknowledged that the funds were not declared to electoral authorities. But Soares has denied the bribes-for-votes accusations, brought by Jefferson. No charges have been filed

in the scandal. Nonetheless, evidence has turned up suggesting, if not proving, that vote-buying occurred.

In his final report, Abi-Ackel said that, despite the lack of proof, "there are multiple indicators that there was a distribution of financial resources to deputies for their legislative support." Bank records show that legislators from various parties received millions of dollars from two accounts held by advertising executive Marcos Valerio, accused of laundering money for the administration.

Many of those withdrawals occurred near the dates of important votes. No documents, however, trace where the funds came from or prove that the payments were actually used to reward legislators.

Lula popularity stricken

Lula has not yet publicly announced whether he will run for re-election in 2006, but a number of polls have shown his public-opinion numbers dropping significantly. Less than one year before October 2006 elections for president, Lula's popularity rating has fallen to a record low as the probes into allegations of government graft shrunk voter confidence in the former union leader. In a Nov. 22 survey by Instituto Sensus, Lula's personal popularity rating fell to 46.7%, the lowest of his almost three years in office, from 50% in September. The poll surveyed 2,000 Brazilians between Nov. 14 and Nov. 17. It also showed that Lula would lose to Sao Paulo Mayor Jose Serra in a runoff.

The conventional image of the PT as a clean party has been badly harmed by the nonstop coverage of the investigations, and grassroots supporters are beginning to wonder if Lula will ever turn into the progressive economic leader they supported in 2002. "We elected Lula to change the model" of economic policy that he inherited from former President Fernando Henrique Cardoso (1995-2002), said Joao Pedro Stedile, a leader in the Movimento dos Trabalhadores Rurais Sem Terra (MST), the rural landless workers' movement. "It's true that the government didn't have support from political forces to change the model, but neither does the government have courage."

Chamber of Deputies head steps down after bribe charges

Chamber of Deputies head Severino Cavalcanti also faced accusations that he accepted bribes from a businessman to allow him to run a restaurant on the 10th floor of the Chamber of Deputies building ([NotiSur, Sept. 9, 2005](#)). Cavalcanti resigned in September, saying he would return to politics. The conservative congressman from Pernambuco originally came to head the legislative body as a foe of Lula, but became a key ally in the president's efforts in Congress. After Cavalcanti's resignation, Aldo Rebelo of the Partido Comunista do Brasil (PC do B) won the presidency of the chamber by a narrow vote, which a number of analysts saw as a triumph for Lula. The PC do B still supports Lula, although the Partido Comunista de Brasil (PCB) has split with him. Vice President

Alencar investigated for unreported deposit Vice President Jose Alencar also faces scrutiny over the 2002 deposit of 1 million reais (about US\$454,000) into his company Coteminas.

Congressional ethics investigators forced the PT to admit on Dec. 5 that the funds were stashed in Alencar's company as a secondary campaign treasury outside the purview of electoral authorities. A press release by current PT head Ricardo Berzoini and party finance secretary Paulo Ferreira recognized that the deposit was paid with "unaccounted for" funds. "It is nothing new," said Ferreira. "It is a second treasury. It has to do with the informal practices of the former management," he said, referring to the schemes of ex-treasurer Soares to pay the debts accrued in the 2002 electoral campaigns.

During Lula's campaign in 2002, Dirceu helped negotiate an alliance with the pro-business Alencar, a textile-factory owner, of the Partido Liberal (PL) who is now vice president and defense minister. The move helped attract support from business executives who were suspicious of the PT's past advocacy of defaulting on Brazil's debt and ending an agreement with the International Monetary Fund (IMF).

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