O Boletim de Conjuntura (BOCA) publica ensaios, artigos de revisão, artigos teóricos e empíricos, resenhas e vídeos relacionados às temáticas de políticas públicas.

O periódico tem como escopo a publicação de trabalhos inéditos e originais, nacionais ou internacionais que versem sobre Políticas Públicas, resultantes de pesquisas científicas e reflexões teóricas e empíricas.

Esta revista oferece acesso livre imediato ao seu conteúdo, seguindo o princípio de que disponibilizar gratuitamente o conhecimento científico ao público proporciona maior democratizacão mundial do conhecimento.



BOLETIM DE CONJUNTURA

BOCA

Ano III | Volume 6 | Nº 17 | Boa Vista | 2021

http://www.ioles.com.br/boca

ISSN: 2675-1488

http://doi.org/10.5281/zenodo.4784221

BOLETIM DE CONJUNTURA

www.ioles.com.br/boca

SPACES OF SOVEREIGN INDETERMINATION: AMBIGUITIES IN CONTEMPORARY BRAZILIAN FOREIGN POLICY

Carlos Frederico Pereira da Silva Gama[1]

Abstract

This essay presents a case study (the dwelling of renowned figures of Latin American politics in Brazilian embassies, running away from their homelands, in terms of a precarious informal confinement) in order to analyzing shifting relations between Brazilian sovereignty and its symbolic representation abroad. It portrays a qualitative analysis informed by a bibliographic revision of the aforementioned topics. The dwelling of renowned figures of Latin American politics in Brazilian embassies in terms of a precarious informal confinement is a sign of ongoing changes in Brazilian foreign policy towards more participation of interest groups under the supervision of an attentive public opinion. Such unexpected democratization of foreign policy poses a challenge to Itamaraty's capacities of formulating policies and dealing with their outcomes.

Keywords: Brazil; Embassies; Foreign Policy; Sovereignty.

Resumo

Este ensaio, através de um estudo de caso (a utilização de embaixadas brasileiras como local de refúgio precário por figuras de destaque na política latinoamericana em fuga de suas nações de origem), aborda transformações na relação entre a soberania brasileira e suas representações oficiais no exterior. Trata-se de uma análise qualitativa focada em revisão bibliográfica da produção referente aos temas supracitados. A utilização de embaixadas brasileiras como local de refúgio precário por figuras de destaque na política latinoamericana no século XXI é um sinal de transformações na política externa brasileira na direção de maior participação de grupos de interesse e maior supervisão por parte da opinião pública. Essa "democratização" não-prevista da política externa limita a capacidade do Itamaraty formular políticas públicas e lidar com suas consequências.

Palavras chave: Brasil; Embaixadas; Política Externa; Soberania.

A recurring issue in studies of Brazilian foreign policy (BFP) is the concept of autonomy. "Relative" or "absolute", "regional" or "systemic", autonomy has, for the better part of two centuries, been framed in terms of an interpolation between the control of territorial space and political capacity. Territorial space figures prominently, as a key variable appropriated by political means in terms of projection, containment (of actual or possible rivals).

Yet, another approach to territorial space also figures prominently in BFP, due to a key figure – the founding father of Brazilian Ministry of Foreign Affairs (Itamaraty), Barão do Rio Branco. Considered by major segments of Brazilian historiography the protagonist of the consolidation of Brazilian borders after War of Paraguay, Rio Branco was renowned in two disciplines associated with

[1] Associate Professor of International Relations at the Federal University of Tocantins (UFT). Email: carlosfredericopdsg@gmail.com

the control of territorial space. Firstly, geopolitics (a burgeoning late-19th century' interest). Secondly, international law (stressing the post-Napoleonic concept of sovereignty stemming from Westphalia and the monarchic restorations in Europe). A combination of those interests provided tentative foundations for a so-called tradition of BFP associated with Itamaraty (CERVO; BUENO, 2002).

Rio Branco is also renowned for being the entrepreneur of a Brazilian "preferential alliance" with the United States, an emerging power in American politics during the late 19th century, a global power (and empire) on the rise. Rio Branco's pragmatism fueled a transference of political loyalty, away from the British Empire, insofar as Brazil remained a key regional player at the eyes of the US (considered, accurately, to be on the verge of international protagonism). The Brazil-US relationship fuelled debates on "autonomy" ever since.

The sanctity of borders and the stability of territorial sovereign states remain hallmarks of BFP even in 21st century terms. In 2013, earth-shattering news concerned cyber-espionage. The wiretapping of private e-mails and phone calls from then-President Dilma Rousseff by US agency NSA triggered a diplomatic crisis between the former allies – which worsened in the forthcoming months, as Brazil employed Edward Snowden whistle blows as a motto for reforming Internet governance in multilateral fashion, in order to curb cyber-espionage. Such a proposal undermined US control over Internet through private entity ICANN. Lately, in her United Nations General Assembly opening speech in September, President Rousseff framed the issue as a violation of "sovereignty and human rights".

Space remains a deeply entrenched issue in BFP but the cyber- espionage scandal provided new layers to it. By approaching space as less than a resource to be preserved, projected or to be used a hurdle to constraint other (territorial states), it becomes a semi-permeable entity pervaded by all kinds of flows – in a different ontology, with different (policy) implications. Dealing with issues in an electronic network – the Internet – means, for example, dealing more with capillarity and decentralization, with lines drawn in the sand rather than marked with hammers-on-anvils of military presence (ABDENUR; GAMA, 2015).

Insofar as they can coexist, Westphalian geopolitics, sovereignty as a juridical norm and flows in a semi-permeable space concur in the confection of public security policies – such as curbing illicit flows through borders, a responsibility shared, in Brazil, by the Armed Forces and Federal Police. Adaptations are made; things may seem business as usual.

However, in a series of events in this century, BFP dealt with space in quite unusual ways.

The particular spatial phenomenon that caught my attention in this article was the use of Brazilian diplomatic representations – embassies – for political uses that comprise "spaces of sovereign indetermination". I compare the uses of Brazilian embassies in two dramatic events that brought BFP to

public scrutiny in recent years. Firstly, President Manuel Zelaya's stay in the Brazilian embassy in Honduras. Secondly, Senator Roger Molina's dwelling in the Brazilian embassy in Bolivia.

In both situations, the status of those subjects in Brazilian embassies was framed in terms of a precarious informal confinement. Departing from embassies as inviolable sites safeguarded by (international/national) law, Brazil kept the status of these guests in a limbo – neither refugees, nor undesired aliens, no longer citizens. The new regime for dealing with bodies-as-spaces impinges on consecrated notions of sovereignty, inviolability of diplomatic sites, safe conduct and sanctity of borders between states. Mobility gets in the way of geopolitical tropes (SILVA; FELDIMAN, 2009).

The first incident took place in 2009. After a military coup d'état, Honduran President Manuel Zelaya dwelled in the dependencies of the Brazilian embassy in Tegucigalpa. Lacking asylum or refugee status, his safe haven (inside an embassy) did not hamper Honduran military from chasing him inside and out. He swung between improvised rooms at the embassy's entrance hiding from his, seekers, as Brazil was caught in a peculiar quagmire.

Figure 1 - Manuel Zelaya dwells in the Brazilian embassy in Honduras



Source: G1 (2009).

Under President Lula, the Brazilian government did not recognize the coup and a "provisional" government. Brazil still supported Zelaya's democratic credentials – backed by decades-old legal decisions by the Organization of American States, soon to be endorsed by a fledgling MERCOSUR. This said, the state host of that embassy denied Zelaya the status of a refugee or asylum seeker. He was not allowed to stay there indefinitely.

Embassies are not *prima facie* sovereign grounds; they depend on legal agreements between the host country and the represented country (according to the 1961 Vienna Convention on Diplomatic

Relations). The "provisional" government of Honduras made clear that embassy status would be kept suspended in a juridical limbo if Brazil insisted on "hiding" Zelaya there. Brazil would neither release his *guest* (as Zelaya was called) for safety reasons, nor allow the presence of armed men (even from Honduras) in any given situation.

The incident brought to a head Brazilian-US relations, as the Barack Obama administration opened negotiations with the "provisional" government (considering the coup a matter of fact) at a time Brazil demanded Honduras' suspension from OAS (which eventually happened). Tentative negotiations at the United Nations' Security Council were sidelined, as the US (endowed with special rights – veto – power) made clear a regional forum was more adequate for the issue. Then, Brazil invoked a new regional body, UNASUR, which pronounced in favor of Zelaya. The "provisional" government declared Zelaya a criminal and asked Brazilian authorities to grant him to Honduras "authorities" for ongoing trials on corruption and conspiracy against the Constitution (a rather puzzling claim, given the military violated such Constitution); Zelaya was accused of trying to amend the Constitution to confer him extraordinary powers, facing resistance from an opposition-led Congress.

In the netherworld of this space between sovereigns, but not standing still on sovereign frontier-stands in the usual/diplomatic way, political intentions rather than legal figures mattered more. Brazilian President Lula's affiliation to Zelaya's left-wing coalition was invoked, in political circles and in the press, as the major cause for a flagrant breach with Brazilian diplomatic traditions (of non- interference in domestic affairs of sovereign fellows).

Apart from breaking Itamaraty customary rules, Brazilian authorities made sure the Tegucigalpa embassy remained as it stood – ill-defined in juridical terms, disputed terrain in politics, but still safe haven for a human person lacking juridical status in a world of sovereigns. Zelaya did the best he could in such situation – fed, clothed and dwelled precariously, in sheer contrast with the pomp dedicated to chiefs of state/government or more fortunate *visitors*.

Dealing with the lowest echelons of the Brazilian Embassy-turned-bunker under occasional shelling from Honduras military and the duress of constant invasion threats, Zelaya embodied a new spatial regime operating under BFP's radar. This regime of flows – through corporeality instead of entrance points, in the moving target of a human body instead of fences and stockades – brings to the fore Michael Foucault's concept of governmentality, his notion of power as "a mode of action upon the actions of others" (FOUCAULT, 1982). As such, Zelaya's treatment problematizes space in a way that both Itamaraty and Brazilian decision makers were utterly unaware or unprepared for.

Embassies shed light on political ambivalences in contemporary BFP. Brazilian sovereignty in space shifts from territorial geopolitics to biopolitics, as indeterminacy is imprinted in dwelling bodies

during routines in suspension. Even though he was welcome inside the dependencies of Brazilian diplomatic representation in Tegucigalpa, Zelaya's status was framed in terms of a precarious informal confinement, his status kept in a limbo – neither refugee, nor undesired alien, less than a citizen, much less being treated as a head of state.

As pressures rise inside and outside, who is authorized to speak on those bodies kept in limbos (spaces of sovereign indetermination)? Few years after, BFP would delve deeper into the contradictory anxieties of shifting spatial metaphors.

By 2013, in Dilma Rousseff's government, BFP experienced a moment of democratization. By no means had that represented popular takeovers on decision-making (still a Presidential preserve, implemented by zealous Itamaraty, under loose supervision from both Houses of Congress). Increasingly, Brazilian groups of interest manifested publicly their interest(s) in foreign policy matters. BPF decisions/omissions were more contested by a polarized public opinion. Those trends reached a peak during June/July, when the largest manifestations in Brazil after 1980s' Redemocratization took millions to the streets of major cities.

An iconic image of the era was the popular assault to Itamaraty's headquarter in Brasilia. After thousands of protestors took the Houses of Congress, the modernist staple *Palácio do Itamaraty* was occupied, its waterways violated, some windows broken by blows, stones and Molotov cocktails. It was a remarkable scene, unseen in 190 years of political independence. Diplomatic rules, definitely, no longer applied to diplomatic terrain.

Figure 2 - Itamaraty occupied (2013)



Source: O Nacional (2013).

At the same time, Brazil was hailed as an emerging power, a potential regional leader, spearheading UNASUR and MERCOSUL, a member of G-20, IBSA and BRICS coalitions. Newfound Brazilian prominence in international affairs put increased pressure on BFP's machinery to catch up with the times – as, for instance renewed presidential diplomacy, updating and expanding Itamaraty's resources.

Consecrated BFP spaces were under pressure from different sides. On the inside, democratizing pressures delegitimized traditional preserves and restricted their efficiency. From the outside, a revamped Brazilian role implicated an expanded BFP agenda as well as readiness to engage uncharted arenas. In this era of ambiguity, BPF was simultaneously less and more than it used to be (GAMA, 2014), unveiling a relative autonomy of the Itamaraty in the face of diplomatic slippage and setbacks (SENHORAS, 2013).

It is in this context that a new spatial regime plays out in Brazilian embassies. Increasingly politicized sites, Brazilian embassies have become focal points of inside/outside pressures. Another prominent Latin American politician in trouble at home fled his privileged resort abruptly towards a Brazilian diplomatic site.

Bolivian Senator Roger Molina (a political adversary of President Evo Morales) was deprived of his parliamentary prerogatives and had an order for arrest issued immediately. Chased by the national army, he found resort in the dependencies of Brazilian embassy in La Paz in June 2012. A diplomat, business attaché Eduardo Sabóia, defended his impromptu arrival on humanitarian grounds. Even more palpitating than in 2009, Brazilian embassies bounced back to scenes of precarious confinement (recycling Tegucigalpa moves in full throttle).

Figure 3 - Roger Molina dwells in the Brazilian embassy in Bolivia



Source: Novaes (2013).

A human being in a situation of personal vulnerability with a founded fear of being persecuted for political reasons (that is, one of the criteria that grant someone a refugee status) should be eligible for humanitarian assistance. That argument brought another wave of re-politicization to Brazilian embassies, not to mention acrimony between the Brazilian government, press, public opinion and the Bolivian government.

Sabóia treated Molina in terms of a *quasi*-refugee. However, that status was refuted by his diplomatic superiors in the Brazilian embassy and peremptorily denied by the Brazilian government (allied to President Morales). Molina remained, thus, *de jure* and *de facto* in transit and unprotected. He would remain the pivot of a political crisis that lasted 13 months (his prolonged stay in the embassy resembling Zelaya's).

The political chess with Morales would bounce back when 12 Brazilian ultras (from football team SC Corinthians) were arrested in February 2013 in the city of Oruro, Bolivia after a Libertadores de América match with local team San Jose. A local supporter – Kevin Espada – was killed inside the stadium after a shot of marine signalizers, allegedly thrown from the Brazilian side (RIBEIRO, 2013). The prolonged stay in Bolivian prisons (after a quick trial) and the diplomatic debacle in bringing the ultras back home for several months strained diplomatic relations - attributed to a personal letdown of Brazilian Minister of Foreign Affairs Antonio Patriota (PASSARINHO, 2013).

One year away from presidential elections, the Bolivian crisis impinged on President Dilma's poll intentions. Members of the opposition framed the incident as unjustified interference in other state's affairs – a violation of Itamaraty's tradition, motivated by interests hidden from public scrutiny. For weeks, a deep-seated crisis between Dilma's administration, Congress and Supreme Court (during the Mensalão trial) were put on hold.

Zelaya's routine in the Brazilian embassy had already been framed as a humanitarian incident in September 2009, to the chagrin of Brazilian authorities. By then, the Honduras president lacked medical assistance and, for a week, even basic needs (logistics cut short courtesy of the new ruling authorities). In contrast, the opposition demanded that such an inconvenient guest be compulsively defined – either as a refugee or as an undesirable alien to be withdrawn from the embassy. The criticism focused the indetermination of Zelaya's status – as indetermination brought to the table ambiguous interests that could be mobilized, to support or to undermine, his continued presence in Brazilian soil.

I stress that this situation crystallizes a fundamental political move – as loose control over territorial space meets political indetermination, geopolitics stops at the gates of biopolitics.

After 455 days in prolonged medical agony (according to Sabóia's account, he tried, unsuccessfully, to convince his superiors of Molina's poor health, to no avail), the Brazilian embassy in La Paz ceased to be a safe haven.

Temporarily in charge of Embassy affairs, Sabóia put an end to political ambivalence. He took one of the embassy's official cars and Molina to the Brazilian side of the border, 712 miles away, supported by a handful of Brazilian marines, a mysterious businessperson in a helicopter, and counting on additional collaboration by Bolivian and Brazilian border guards. In the city of Corumbá, Molina filled for asylum and was received by the president of Brazilian Congress' Committee of International Relations, Senator Ricardo Ferraço.

The event, described by the press as a road movie featuring "a non- conformist Brazilian diplomat, two marines, a senator and five Federal Police agents", deepened the diplomatic crisis with Bolivia (SOUSA, 2013). A couple days after, Antonio Patriota's prolonged agony also came to an end. Duly sacked from Itamaraty, he fled for a luxurious ostracism in New York (as the new Brazilian representative to the UN).

After the occupation of Palácio Itamaraty, the thrilling scenes of Corumbá were received with fire and brimstone. The great escape was hailed by opposition figures such as former chancellor Celso Lafer. An international law expert mentored by philosopher Hannah Arendt, Lafer defended Sabóia's decision on "moral grounds", considering his conduct as *de facto* granting safe conduct, given Brazilian government's selective indifference to Molina's humanitarian situation.

On the other hand, Itamaraty considered the incident a flagrant case of insubordination bordering on treason. Sabóia was removed from his functions and a trial was opened to investigate the motivations for his conduct. Shedding illusions of business as usual in the Brazilian embassy, Sabóia defined his role in La Paz as "prison warden" and compared Molina's hiding with DOI-CODI, an institutionalized torture site during Brazil's 21-year civil-military dictatorship (1964-1985).

Those speech acts defied the traditional account of embassies as cocoons for vulnerable foreigners. The chain of decisions shifts from high echelons of the Presidency and Ministries, from diplomacy and law professionals, to looser on-site arrangements. Safeguards, starting and arriving points fell by the wayside of political anxiety and indeterminacy. Ontological ground to be lost or gained – sovereignty – gets blurred into the political quicksand of flows.

Everylday, decisions in foreign policy become harder matters if justifications are not readily provided and processed by a burgeoning civil society. The complexity of private-public arrangements on-site is analogue to the complexity BFP finds in times of democratizing pressures. Surrounding the symbolic no-man's-land in diplomatic sites, high stakes and expectations from an expanding public

sphere had tectonic effects on foreign policy debates, to unprecedented levels. Not surprisingly, the 2014 presidential election was a highly polarized contest and foreign policy played a pivotal role.

After Molina's 13 months of precarious informal confinement (a considerable extension of Zelaya's similar journey), the Brazilian government sedimented a pattern for the use of embassies as political spaces. Once, they were associated with intimate and stable dwelling places providing shelter from political storms for vulnerable ones, safeguarded by symbolic projections of (Brazilian) sovereignty. Now, they have become rump sites ridden with anxiety, shaken by political storms of a distinctive kind, no longer strongholds of sovereignty but giving away its contingency. Disquieting *loci* for the just arrived, kept in political/legal limbos away from refuge, asylum or deportation.

What kind of role those places perform for sovereignty? Political capacity working through interstices rather than over inert places with discernible borders bears a different logic. Sovereignty attempts to project and control, rather than territories, *bodies in motion* – Foucault's "actions of others". Such modalities of control reframe what a territory means, or more interestingly, what is done with it. Foucault's notion of the subject, infused with a few hints of Carl Schmitt's remarks on sovereignty (SCHMITT, 1985) overcrowd the treatment of those tolerated in their attempts of shelter, shrouded in indeterminacy, kept in a limbo.

Overlaps between Tegucigalpa and La Paz turn futile attempts to preserve former preserves of territorial sovereignty, on challenged grounds. Both inside and outside embassies, foreign policy becomes harder an issue to cast a blind eye or to take away from scrutiny.

Zelaya's and Molina's status – precarious informal confinement in spaces of sovereign indetermination – fuels complexity and anxiety in decision-making, confusing hierarchic chains of decision. Rather than turning diplomacy and sovereignty obsolete, the new regime recasts such practices in a shifting world in which Brazil seems more than it used to be and less predictable, too.

Usually framed (in geopolitical terms) as constraints, democratizing pressures provide critical windows of opportunity to engage those subjects in the regulation of their own flows through valleys of uncertainty. Refusal to grant unchecked prerogatives to political authorities in the name of "national" interests or (invented) diplomatic traditions brings political participation to the table. In a democratizing postcolonial society such as Brazil, engaging complexity provides a glimmer of hope – especially in murky sites. The present configuration claims more, not less, contestation to the table.

REFERENCES

ABDENUR, A. E.; GAMA, C.F.P.S. "Triggering the Norms Cascade: Brazil's Initiatives for Curbing Electronic Espionage". **Global Governance**, vol. 21, n. 3, 2015.

CERVO, A. L.; BUENO, C. **História da política exterior do Brasil**. Brasília: Editora da UnB, 2002.

FOUCAULT, M. "The Subject and Power. **Critical Inquiry**, vol. 8, n. 4, 1982.

G1 (2009). " Zelaya diz que pediu proteção ao Brasil e não pretende pedir asilo político ". **G1** [22/09/2009]. Retrieved from: <http://g1.globo.com>. Access in: 04/20/2021.

GAMA, C. F. P. S. "Mais do M/enos: entre tradições e contradições, críticas à Política Externa de Dilma Rousseff". **Carta Maior** [05/12/2014]. Retrieved from: <http://www.cartamaior.com.br>. Access in: 20/04/2021.

GAMA, C. F. P. S.; FELDMAN, L. "Turbulência nas Margens Plácidas". **Correio Braziliense** [11/03/2009]. Retrieved from: <https://www.correiobraziliense.com.br>. Access in: 04/20/2021.

NOVAES, J. "Acusado de 20 crimes, senador boliviano completa um ano asilado em embaixada brasileira". **Opera Mundi** [05/28/2013]. Retrieved from: <https://operamundi.uol.com.br>. Access in: 20/04/2021.

O NACIONAL. "Manifestantes colocam fogo no Itamaraty". **O Nacional** [06/20/2013]. Retrieved from: <https://www.onacional.com.br>. Access in: 04/20/2021.

PASSARINHO (2013). "Dilma demite ministro Patriota após episódio com senador boliviano". **G1** [08/28/2013]. Retrieved from: <http://g1.globo.com>. Access in: 04/20/2021.

RIBEIRO, D. "Torcedor do San José morre após ser atingido no rosto por sinalizador". **Globo Esporte** [02/20/2013]. Retrieved from: <http://globoesporte.globo.com>. Access in: 04/20/2021.]

SCHMITT, C. **Political Theology** – Four Chapters on the Concept of Sovereignty. Cambridge: MIT Press, 1985

SENHORAS, E. M. "A autonomia relativa do Itamaraty diante de deslizes e desgastes diplomáticos". **Mundorama** [08/31/2013]. Retrieved from: < https://medium.com/mundorama>. Acess in: 04/20/2021.

SOUZA, J. "Fuga de senador boliviano teve ajuda de colega brasileiro, diplomata, fuzileiros da Marinha e PF". **UOL** [08/26/2013]. Retrieved from: <https://josiasdesouza.blogosfera.uol.com.br". Access in: 04/20/2021.



BOLETIM DE CONJUNTURA (BOCA)

Ano III | Volume 6 | Nº 17| Boa Vista |2021

http://www.ioles.com.br/boca

Editor chefe:

Elói Martins Senhoras

Conselho Editorial

Antonio Ozai da Silva, Universidade Estadual de Maringá

Vitor Stuart Gabriel de Pieri, Universidade do Estado do Rio de Janeiro

Charles Pennaforte, Universidade Federal de Pelotas

Elói Martins Senhoras, Universidade Federal de Roraima

Julio Burdman, Universidad de Buenos Aires, Argentina

Patrícia Nasser de Carvalho, Universidade Federal de Minas Gerais

Conselho Científico

Claudete de Castro Silva Vitte, Universidade Estadual de Campinas

Fabiano de Araújo Moreira, Universidade de São Paulo

Flávia Carolina de Resende Fagundes, Universidade Feevale

Hudson do Vale de Oliveira, Instituto Federal de Roraima

Laodicéia Amorim Weersma, Universidade de Fortaleza

Marcos Antônio Fávaro Martins, Universidade Paulista

Marcos Leandro Mondardo, Universidade Federal da Grande Dourados

Reinaldo Miranda de Sá Teles, Universidade de São Paulo

Rozane Pereira Ignácio, Universidade Estadual de Roraima