



Written by [Angeline Tan](#) on January 16, 2023

Brazil's Top Court to Investigate Bolsonaro in Wake of Recent Protests

Brazil's left-leaning Supreme Court agreed on January 13 to launch an investigation into former President Jair Bolsonaro, a pro-life conservative, for his alleged role in the protests that erupted in Brasilia recently.

Many Bolsonaro supporters had sought the military's cooperation in stepping in after Socialist Luiz Inácio "Lula" da Silva was elected as the next president of Brazil after reportedly defeating Bolsonaro 50.9 percent to 49.1 percent in November last year. Many conservatives in Brazil saw Lula's victory as the result of electoral fraud, as the election was swamped with irregularities reminiscent of the 2020 presidential election in the United States.



AP Images
Jair Bolsonaro

Lula was inaugurated Sunday, January 1, and ominously hinted at suppressing Bolsonaro and his supporters by saying, "We do not carry any spirit of revenge against those who tried to subjugate the nation to their personal and ideological designs, but we will guarantee the rule of law."

Subsequently, Lula announced a federal security intervention in Brasilia lasting until January 31 after capital security forces were overwhelmed by protesters.

Similarly, Brazil's left-leaning top court echoed the views of the socialist Lula. "Public figures who continue to cowardly conspire against democracy trying to establish a state of exception will be held accountable," said left-wing Justice Alexandre de Moraes, who complied with the request by federal prosecutors to unveil the probe.

Bolsonaro, who is currently in the United States, will be grilled by prosecutors for possible "instigation and intellectual authorship of the anti-democratic acts that resulted in vandalism and violence in Brasilia last Sunday," the top public prosecutor's office announced in a statement.

The Supreme Court had already demanded the arrest of Bolsonaro's former justice minister, Anderson Torres, for permitting the protests to take place in the Brazilian capital after he took responsibility for Brasilia's public security.

After his alleged loss in the October election, Bolsonaro left Brazil for the United States on the eve of the end of his term, eschewing handing over the presidential sash to the socialist Lula at his inauguration.

Torres, who, like Bolsonaro, is in Florida, previously declared that he plans to return to Brazil to turn himself in. Moreover, Bolsonaro announced on social media he will proceed with his return to Brazil.

Justice Minister Flavio Dino indicated at a news conference that an effort to request Torres' extradition could happen if the former minister does not turn himself in.



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The leftist de Moraes issued the arrest warrant against Torres, as police found a draft decree at Torres' house that authorities claim was a proposal to tamper with the result of the election.

In his defense, Torres asserted that the documents were "leaked" to *Folha de S.Paulo* newspaper in his absence to create a "false narrative." The political party to which Bolsonaro belongs, the conservative Liberal Party (PL), decided to bolster its team of lawyers to defend the former president, a party official told Reuters.

PL party leaders now worry that Bolsonaro will be blamed for the storming of government buildings. Although leaders doubt that Bolsonaro would be arrested, they are concerned that he could be decreed ineligible to run in the 2026 election, the official said.

On his end, Bolsonaro dismissed what he called Lula's "baseless" claims on his role in the Brasilia protests. He said on Twitter that peaceful demonstrations were a part of democracy but that any invasion of government buildings crossed the line.

In an explanation for public calls for the military to intervene, investigative journalist Matthew Tyrmand said in a recent episode of Steve Bannon's *War Room* podcast, "They're going to have to execute some form of 142-driven Marshal Law."

"The Supreme Court has totally lost trust for everybody," Tyrmand added.

Prior to Lula's swearing-in ceremony, the journalist had elaborated that the judges in charge of the election have changed Brazil into a "judicial autocracy," and that this is prompting members of the military to consider stepping in.

"These judges are not judges in the classical sense. They are not impartial players. They are a partisan cabal appointed by Lula ... to fix the chessboard, to put the fix in, to rig the game. And they're doing it." The military, he said, has to "expose the election chicanery that the court has obfuscated in the audits and make arrests."

Earlier, Bolsonaro's party had launched a 33-page legal challenge against the outcome of the recent presidential election, claiming that they had found "signs of serious failures that generate uncertainties and make it impossible to validate the results generated" in electronic voting machines, affecting some 280,000 devices, thus asking the court to "apply the legal consequences it deems necessary."

In response, the leftist judge de Moraes dismissed the challenge on the pretext that it was made in "bad faith."

"The complete bad faith of the plaintiff's bizarre and illicit request ... was proven, both by the refusal to add to the initial petition and the total absence of any evidence of irregularities and the existence of a totally fraudulent narrative of the facts," the judge penned, claiming that all electronic ballots were "perfectly identifiable in a clear, secure and integral way."

PL President Valdemar Costa Neto reiterated that the intention behind investigating the voting machines was "strengthening democracy," while a party lawyer said that broken machines do not always "mean that fraud occurred, but that there is a possibility of fragility that leads to a lack of certainty."

Bolsonaro's party had issued a statement before the first round of the elections, singling out flaws in some of the machines made before the year 2020.

Bolsonaro has been prominent for dismissing various global policies against freedom and life and



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family. He rejected the Covid-19 injection, and staunchly protested against the use of vaccine passports. In October 2022, Bolsonaro consecrated the mostly Catholic country to the Virgin Mary, rallying priests nationwide to join him in saying the consecration prayer.

The electoral court ratified the results of the election, announcing Lula as the winner, notwithstanding Lula's hitherto conviction for corruption in 2017. Lula was sentenced to 12 years' imprisonment before having the ruling overturned. In 2021, Lula claimed that abortion is "a woman's right," while continuing to frame his arguments in terms of "public health."

In a further affront to conservatives and Bolsonaro supporters, protesters who doubted the outcome of the recent Brazilian election supposedly had their bank accounts frozen, in what many said was a repeat of leftist Canadian leader Justin Trudeau's repressive actions against the Freedom Convoy in Canada.

Also, the country's top elections official barred conservative influencers from social media for disputing the results.

Once again, de Moraes, who also serves as the country's elections chief, was in charge of the clampdown on the disputes.

"Those who by criminal means have been taking part in anti-democratic acts, will be treated like criminals," de Moraes declared, after banning key Bolsonaro supporters from expressing their views online.



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