

# Against apartheid

FM  
3/3/89  
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Whatever the outcome of Brazil's latest attempts to deal with its US\$115bn international debt (see main article), SA may make a convenient distraction for Brazilian politicians grown weary with their financial crisis. As it is, Brazil has just rung alarm bells about its capacity to meet the latest interest bill.

This is because anti-apartheid lobbyists among the 487 deputies in the National Congress believe the new constitution has given them a stick to beat SA with. "Your diplomats and airline can expect the consequences early in 1989," the doyen of Brazil's constitutional lawmakers, Dalmo Dallari, warned the *FM* during an interview in Sao Paulo.

Dallari, dean of Brazil's best regarded law school, at the University of Sao Paulo, is widely credited with playing a major though low-profile role in providing the intellectual thrust to Brazil's eighth constitution since it became a republic 100 years ago.

He is the country's leading theoretician on the role of the State in society and 10 of his dons assisted the 559-member constitutional assembly which began its labours in February last year and saw the new constitution formally promulgated just before Congress embarked on its summer holiday.

In Dallari's view, the heady process of lawmaking and the attention given to the constitution's declarations against racism breathed a new lease of life into the anti-apartheid lobby. The constitutional weapons now handed to those lobbyists include a clause binding government actively to combat racism in the exercise of its international relations, and declares racism a crime "not subject to bail and subject to incarceration as provided under law."

Trade sanctions are not under consideration, says Dallari (even were they, few South Africans would suffer, judging by the low level of bilateral trade).

"But there is a group in Sao Paulo, particularly black organisations from the university, who are working for the rupture of diplomatic links and the air links between Rio de Janeiro and Jan Smuts," he says.

Dallari forecasts that from this group "something will emerge. Perhaps not in the form they have in mind, but something..."

Of course the presence in the constitution of a clause binding government to act against racism is no guarantee action will follow.

The new constitution also posts a ceiling on maximum interest rates and retains provisions obliging employers to pay no less than the official minimum wage. The latter makes criminals of a large proportion of employers.



**President Sarney ... rated 'bad or very bad' by Brazilians**

Plainly a system where interest rates are pegged daily by government to produce a real return some 20% above the prevailing 30% per month inflation rate, makes a mockery of Chapter 4 (on the financial system), Article 192 (VIII) (3), of the new constitution, which states:

"Real interest rates, including commissions and any other direct or indirect remunerations from the concession of credits, shall not be more than 12% a year; charges above this shall be a crime of usury..."

If it comes to prosecutions, "racists" may have to join a queue which will include the entire Brazilian retail sector selling on HP, all the commercial banks, government, and the national treasury.

In the end the anti-"racist" clause may be of no more utility than such fanciful economic theory.