

100 words for a better understanding of Brazil

100个
能更好
了解西
巴的词



English and Chinese edition

Patrocínio:



Realização:

Ministério da
Cultura



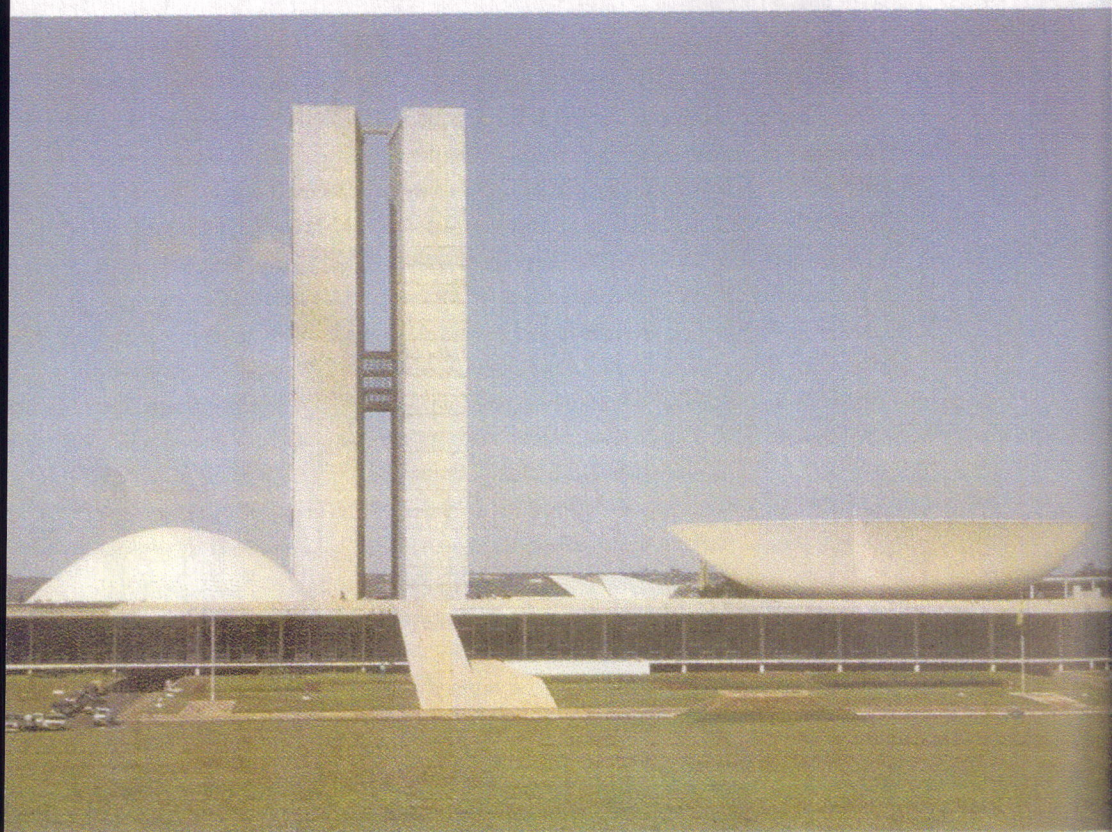
Brazil Republic

巴西共和国

Ives Gandra Martins

84

伊维斯 甘德拉 马丁斯



Designed by Oscar Niemeyer, the National Congress building houses the federal legislative in Brasilia. Photo by Manoel Novaes/Pulsar.
全国代表大会，奥斯卡·尼迈耶项目，在巴西利亚是联邦宪法的中心。马塞林·诺瓦埃斯摄/视觉。

Brazil Republic

Ives Gandra Martins

Lawyer, emeritus professor, Mackenzie University, and writer

In Perpetual Peace, Kant argued that the day all countries were republics there would be no more wars, because governments elected by the people would never agree to such conflict. The Latin origin of the word republic – “*res publica*” (public concern) – reflected a relatively stable period in Rome of approximately five centuries (from 509 to 27 AC) following the kingdom, until republic was supplanted by empire. In Brazil, lagging behind our Latin American neighbors, the Republic was not installed until 1889, when it was proclaimed by Marshal Deodoro, who at first thought he had merely overthrown the last cabinet of the Empire, which had lasted from 1822 to 1889, underpinned by the stablest of Brazil’s constitutions (1824 to 1891). The Republic that was installed was the dream of intellectuals of the time, who advocated this form of government, the abolition of slavery (which occurred in 1888) and the shift from a unitary to a federative State. After the proclamation and promulgation of that Constitution, which followed the North American presidential model, we had six more constitutions. The Brazilian Republic took the presidential form of government, with a bicameral legislature (Chamber of Deputies and Senate) and a three-tier federative sphere of government (union, states and the federal district, and municipalities). Of the major federations, it is the only one to offer its city-states federative status. In the threefold division of powers, the judiciary operates at two levels (federal and state) and enjoys autonomy and independence. The function of the higher courts (STF, STJ, TST, TSE and STM) is to ensure institutional stability, while the lower courts administer justice. The President of the Republic can legislate – as in parliamentary systems of government – by “provisional measures”, which the Legislative has to approve, reject or not examine within 120 days (in the latter case, they lapse). The Public Attorney and Attorney-General have equal institutional dignity, and the right of defense is fully assured by the Constitution. The vote is universal and secret.

巴西共和国

伊维斯 甘德拉 马丁斯

律师，麦肯齐大学名誉教授，作家

康德所理解的，在永久和平的日子，所有国家都是共和国，将不再有战争，因为人民选举的政府永远不会同意这种冲突。“res publica”（公共事务）这个词起源于拉丁语，最早出现的是罗马共和国，它的统治经过了一个相对稳定的时期，持续了大约500年（从公元前509年至公元前27年）。之后被帝国所取代。在巴西，与我们周围拉丁美洲的邻居们不同的是，我们的共和国直到1889年才由德奥多罗元帅宣布成立，最初只是想推翻最后一个从1822年持续到1889年的帝国办公室，它在巴西宪法（1824年至1891年）中持续最久。成立共和国是那个时期知识分子最大的梦想，因为他们一直以来都倡导政府的形式应当如此，这也因着在1888年奴隶制的废除和由单个政府的联合向联邦政府转变的过程。之后宣布并制定宪法，这就是当时美国总统制的雏形，我们曾经有过六部宪法。巴西共和国选择总统制，下有两院制议会（众议院和参议院）并三级联邦政府（联邦，州政府和联邦区，还有市级政府），在主要的联邦政府中，属于少数给予市级政府一个治理行政权。在三分法的政权中，司法部在两级政府中（联邦和州），享有独立自主的权力。下属的高等法院（联邦高级法院，高级司法法院，高级劳工法院，高级选举法院和高级军事法院）致力于维护下级司法机构的稳定和管理。共和国的总统可以制定法律，就如同议会制的系统，临时措施可以被立法会在120天内选择批准，拒绝或不执行，若是在这时间内立法院没达成一项决定，临时措施失去有效性。检查部和法官部在机构和维护国家安全上由高等法律保障享有平等权利，普选和不记名投票。