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# A Wounded Democracy: Analysis of the Determinant Factors of Democratic Backsliding in Brazil

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#### Abstract

Despite its prominence in the international political landscape and its widespread adoption throughout the world, democracy is seldom a stable regimen, and often repeatedly stressed and tested by attempts to wield autocratic power. Anti-democratic attacks assume particular forms and may lead to varied outcomes, from the strengthening of enduring democracies, to democratic backsliding or its complete rupture. Among several similar cases, Brazil recently underwent an attempt against its democracy, which climaxed in an attempted coup d'état on January 8th, 2023. This paper aims to examine democratic backsliding as a phenomenon, through an analysis of the coup attempted in Brazil in 2023 as a case study. It was perceived that the presence of a would-be autocrat with a populist strategy in command of the executive branch of government played an important role in promoting democratic backsliding. While the Brazilian democracy sustained some lasting damage to its institutions, it has resisted this attack by autocracy.

#### Keywords

Democratic Backsliding; Populism; Autocratization; Brazil; Elections



#### Introduction

On January 8th, 2023, Brazilian democracy witnessed an attempted *coup d'état*, where supporters of former president and would-be autocrat Jair Bolsonaro unlawfully invaded and vandalized government buildings (Bernardes 2023). Between priceless historical artifacts and sensitive documents, damages were valued upwards of 20 million BRL (Galvão 2023), or 4 million USD. This incident was the climax of a decadeslong process of democratic backsliding in Brazil, during which Brazilian democracy suffered intense and continued attacks that could have led to an autocratization of the country, if the circumstances were different.

This was yet another manifestation of democratic backsliding, a political issue that exceeds the frontiers of Brazilian politics, where a polarized political scenario creates conditions for the rise of a far-right populist politician with authoritative tendencies, usually during economic, moral or social crisis, pushing a program aimed at producing rupture, attacking institutions and accelerating democratic decline.

Democratic backsliding is broadly defined as the process where the political institutions that support and sustain a given existing democracy are debilitated or eliminated by actions led by the state itself (Bermeo 2016). The terms democratic backsliding, democratic erosion and democratic abuse are terms usually applied as a metonymy for democratic decline (Keck 2023). Political Science tends to think of this phenomenon as a retrocess, to denote the return of a democratic regime to pre-democratic times, before a lasting confidence was established in the democratic institutions (Runciman 2018).

In recent years, many countries have experienced a wave of democratic backsliding around the world (Bauer & Becker 2020), in an era of radical uncertainty (Mounk 2018). Examples such as Narendra Modi, Recep Tayyip Erdoğan and Donald Trump have displayed a populist and contradictory approach to politics, mixing protectionist and nationalist identitary discourses, and focused on typical right-wing agendas, aiming at excluding foreigners and people they deem undeserving (Mudde 2019; Heinemann & Stern 2022; Campos 2023), in a way similar enough that patterns may be observed.

This paper aims to discuss the phenomena of democratic backsliding over the backdrop of the recent decline of Brazilian democracy, highlighting the context that contributed to its current state and consequences that this process may have caused since then. First, some of the relevant aspects of democratic backsliding as a political phenomenon will be defined and highlighted, and then, this paper will examine how these aspects played out on recent Brazilian politics, examining how the determining factors contributed to aggravate democratic backsliding in Brazil.

#### Democratic Backsliding as a Political Phenomenon

Democratic backsliding is a broad term that refers to the reduction of a political pluralism within the boundaries of a democratic rule of law (Bauer & Becker 2020). While the divergent interests that come with plurality of actors are a fundamental part of politics within democracy, the conflicts that stem from these divergences must be mediated within the established rules. When the rules of the game are cast aside and the state is used to persecute opposition groups, democratic backsliding ensues.

Another possible meaning of the term democratic backsliding is the gradual reversal, debilitation or elimination, by the action of the incumbent governments as the state itself, of part of the political institutions sustaining an existing democracy (Bermeo 2016; Bauer & Becker 2020). To achieve power to reduce opposition, autocrats try to overcome limitations to their own means, resorting to undermining or attacking the institutions responsible for democratic checks and balances.

Democratic Backsliding also may be used to refer to the erosion of democratic norms regarding the succession of power, caused by groups aiming to rupture political projects of the opposition or prolong their own (Levitsky & Ziblatt 2018). This may assume different configurations in practice, according to concrete



circumstances of the political landscape and history of the country they take place in, from a flashy *coup d'état* with gross display of military power to a series of discreet violations to the electoral rules to favor the current prime-minister or president (<u>Levitsky & Ziblatt 2018</u>; <u>Runciman 2018</u>).

Attempts of causing a rupture through democratic backsliding may mainly assume six different forms: i) Traditional coup d'état; ii) Executive Coups; iii) Election Day Fraud; iv) Promissory Coups; v) Executive Aggrandizement; and vi) Strategic Manipulations of Elections (Bermeo 2016; Runciman 2018). Definitions for these manifestations are explained further in Table 1.

Table 1. Manifestations of Democratic Backsliding

n	Category	Definition	Example
1	Traditional Coup	External infiltration of critical segments of the state apparatus, using them to prevent the government from controlling the rest	France (1961); Turkey (1980); Brazil (1964); Chile (1973)
2	Executive Coup (Self-Coup)	Occupants of power suspend the operating of democratic institutions	Phillipines (1965); Peru (1992)
3	Election Day Fraud	The electoral process is manipulated to produce a certain outcome	Greece (1961); Philippines (1986)
4	Promissory Coup	Democracy is taken over, and followed by elections to legitimize the new government	Egypt (2013); Haiti (1991); Honduras (2009)
5	Executive Aggrandizement	Occupants of power degrade or delegitimize democratic institutions without expressly destroying them	Turkey (2004, 2010); Ecuador (2008, 2015); Senegal (2006)
6	Strategic Manipulations of Elections	Elections are tampered with in a discreet fashion, and are made to be neither fair and free nor openly fraudulent	Zambia (1996); Panama (1989); Liberia (1997); Kenya (1992)

Source: Authors, inspired by Beaulieu and Hyde (2009); Bermeo (2016) and Becker and Bauer (2020).

Democratic Backsliding may also have different outcomes according to which circumstances surround each specific case under analysis (Levitsky & Ziblatt 2018). A wounded democracy may die, giving place to an autocratic regime, or it may survive, leading to institutional adaptations, preventing similar events from happening again (Runciman 2018). When categorizing political systems between democratic and autocratic, the externt that external forces interfere into a country needs to be considered (Bozóki & Hegedűs 2018). In examples such as Greece (1967) (Runciman 2018), and Brazil (1964) (Starling 2021), external actors motivated by economical and/or political interests, in these cases the U.S. Government through the CIA, provided support for certain internal groups to take the power by deposing an established government.

Democratic Backsliding can be centered at different stakeholders in a given political system (Bermeo 2016), from military leadership backed up by external forces, such as was the case of Brazil (1964) and Chile



(1974), to democratically elected leaders, as in Germany (1933) or Venezuela (1998) (Levitsky & Ziblatt 2018).

The executive branch of government often plays a central role in processes of democratic backsliding. In Latin American democracies, a prominent factor of democratic destabilization has been presidential hegemony, the concentration of powers under the executive branch of government (Pérez-Liñán, Schmidt & Vairo 2019), especially when traditional military coups, open electoral fraud and executive coups have been in decline in recent decades (Bermeo 2016). The role of the executive branch is often centered in the figure of a populist autocrat, which exploits political polarization to subvert electoral institutions while violating the rule of law and attempting to cling to power (Ekiert & Dasanaike 2024). Typical characteristics displayed by executive branch autocrats aligned with autocratic behavior are: i) Rejection of the democratic rules or a dubious compromise with them; ii) Negation of the legitimacy of the political opponents; iii) Tolerance or encouragement to violence; and iv) Propensity to restrain civil liberties of opponents, including media (Levitsky & Ziblatt 2018).

Populism, on the other hand, attempts to ground the autocratic regime in the populace, by means of a moralizing ideology based on dividing the population into two homogeneous and antagonistic groups, the corrupt system and the pure people (Mudde & Kaltwasser 2017; Bauer & Becker 2020), which the autocrat claims to represent. Populism threatens stability in established liberal democracies (Bauer & Becker 2020) by feeding into a growing political polarization that surged forth from the emergence of social media, which turns political discussion from ideas to identities (Abranches 2021), establishing an ideological battle between 'the system' and the people.

#### The Context of the Brazilian Path to Democratic Backsliding

Democratic backsliding in Brazilian democracy likely started in June 2013, with the political protests called the journeys of June (Souza 2016; Musse 2021). At the time of the protests, the president of Brazil was Mrs. Dilma Rousseff, a member of the Workers' Party (PT) and the first ever woman president of Brazil. This inaugurated an acute political crisis in Brazil, simultaneous to an economic crisis (Avritzer & Rennó 2021), where people protesting against an increase in price of the bus fare in São Paulo gathered publicly (Fernandes, Teixeira & Palmeira 2020), and this unrest escalated, drawing in unrelated themes and claims, such as bad public services and general indignation against corruption (Fernandes, Teixeira & Palmeira 2020).

The political fallout that ensued helped bring forth a turnabout on ideological hegemony, decreasing the rates of approval of the Workers' Party's government, which escalated into a protest imbued by anti-system, anti-party, anti-political and anti-left ideologies (Souza 2016). This in turn appealed to radicalized masses, especially the young (Mounk 2018). The coverage of the mainstream media, which heavily criticized the PT government, was also decisive in promoting a conservative turnaround in Brazil (Souza 2016).

At the next elections, Mrs. Rousseff won by only a slight margin, and the defeated candidate Aécio Neves criticized the electoral results, claiming fraud (Fernandes, Teixeira & Palmeira 2020; Reis 2021). His party, the Brazilian social democratic party (PSDB), started two lawsuits to annul the results (Boito Jr. 2021). This is observed in many declining democracies, where newcomers or established parties are willing to undermine or alter the rules of the game if it means the slightest political advantage (Mounk 2018).

Two years later, Mrs. Rousseff would be impeached under vague claims of corruption, fiscal pedaling (pedalada fiscal) and lack of political support (CUT 2022), leading to the ascension of political forces interested in the implementation of neoliberal policies (Martuscelli 2020). This is considered a coup d'état, operated by the economic elite within the rule of law (Souza 2016; Bastos 2017, 2017; Prudencio, Rizzotto & Sampaio 2018; Boito Jr. 2020). However, there was ample propaganda aiming to justify and legitimize



the impeachment in major vehicles of the mass media (<u>Martuscelli 2020</u>; <u>Becker et al. 2023</u>). Since then, the Workers' Party which governed the country for 13 years started being attacked under a harsh process of lawfare (<u>Musse 2021</u>), which is the term used to define strategies that instrumentalize rights and law in efforts to advance contested political goals (<u>Gloppen et al. 2023</u>).

The main instrument of lawfare, Operation Car Wash (*Operação Lava Jato*), started its activities in 2014, and was an investigation that aimed to prosecute supposed crimes involving the Workers' Party (<u>Bello</u>, <u>Capela & Keller 2021</u>). It started as a money-laundering investigation, which discovered ties between the main plaintiff, Roberto Youssef, and the director of Petrobrás, the state-controlled oil company, and between them and others, some of which had ties with the Workers' Party (<u>De Sa e Silva 2020</u>). Headed by judge Sérgio Moro, who later left office to become a state minister, *Lava Jato* was marked by excesses (<u>Fernandes</u>, <u>Teixeira & Palmeira 2020</u>).

Lula da Silva, the main personality within the Workers' Party, was condemned without proof or cause (Marés 2023). This condemnation happened in a way that rendered Lula da Silva ineligible to run in the 2018 elections (Da Silva Filho 2017). The condemnation of da Silva was confirmed by the court of appeals in 2018, and then he was imprisoned and removed from the pre-campaign (De Sa e Silva 2020; Bello, Capela & Keller 2021), and in 2019, after a scandal involving the judge and the prosecutor revealing practices that compromised due process (Bevins 2019; Fishman et al. 2019; Phillips 2019; De Sa e Silva 2020; Bello, Capela & Keller 2021; Reis 2021), the Brazilian Supreme Court would annul all judgments issued by Lava Jato (Superior Tribunal de Justiça 2021).

As Lula da Silva had been considered ineligible until the presidential elections (<u>Brasil, Tribunal Superior Eleitoral 2018</u>), the party had to nominate Fernando Haddad as his replacement, who was far less popular, less than 20 days before the deadline (<u>Lopes 2018</u>; <u>Resende 2021</u>). As his main political opponent was now imprisoned and could not run for the election, Jair Bolsonaro pushed himself as an anti-system candidate, harnessing the perfect storm.

Bolsonaro is a former military captain, involved with several problematic political acts (Pombo 2022). Elected councillor in the city of Rio de Janeiro in 1988 (Hunter & Power 2019), he left the military to dedicate himself to politics, starting his political career as a fervent defender of the Brazilian military dictatorship and building a public image as a conservative outsider with authoritarian tendencies (Avritzer & Rennó 2021). Acting as a populist, he claimed to represent institutional change and a response to perceived political, economic and moral crisis, unlike regular politicians, who were viewed as indifferent and disconnected from the everyday problems (Rocha & Solano, 2021). His agenda was composed of four main elements: i) Military rights; ii) Apology of torture and the use of violence; iii) critique against human rights; and iv) apology of the military dictatorship (Nascimento et al. 2018).

In 2018 he rose to the presidency while supported by radicalized segments of society, in a campaign which used elements of the politically incorrect, anti-PT and anti-partisanship cultures, to promote him as a candidate (Carlo & Kamradt 2018) and to attack his political opponents, such as Lula da Silva (Bahre & Gomes 2018). Most of his support came under the banner of opposition to the Workers' Party, (Partido dos Trabalhadores – PT).

Bolsonaro was able to gather support from various interest groups to form his electoral base, including: evangelical Christians (Ferreira & Fuks 2021), authoritarian, racist and sexist individuals (Setzler 2020), opponents to the Brazilian Workers' Party (Samuels & Zucco 2018), right-wing voters in general (Amaral 2020; Rennó 2020), military personnel and their families (Rocha & Solano 2021), and the emergent middle-class that ascended economically during the PT government (Neri 2008; Souza 2016).

Favored by the crisis of representation that eroded trust in democratic rule as a result of endemic corruption (<u>Fernandes, Teixeira & Palmeira 2020</u>), Bolsonaro's presidency can be seen as the result of a conservative wave in Brazil, phenomenon marked by rising support for containment, restriction and



retrocess of constitutional rights (<u>Almeida 2017</u>), which favored the elections of right wing and far-right governments around the world.

In September 2018, an attempt was made against Bolsonaro's life during a campaign event, as he was stabbed by an individual with mental health issues (Resende 2021). This provided him with media coverage, scarce for a member of a minor party, as well as an excuse for avoiding presidential debates, keeping him away from direct criticism. With his most threatening competitor out of the way, plenty of support from certain key groups in the 2018 elections, and the position under the media spotlight that stemmed from his stabbing, Bolsonaro was able to ride out the perfect storm composed by political, economic, corruption and security crises (Hunter & Power 2019), swaying the election in his favor.

### The Brazilian Case of Authoritarianism, Social Retrocess and Democratic Backsliding

The first eighteen months of Bolsonaro's administration were marked by erratic behavior, political conflict, threats of mandate interruption, volatile coalitions, and disdain for public policy (<u>Avritzer and Rennó</u> 2021). In the policy field there were profound changes as well, cascading from political, economic and social instability, with an austerity neoliberal agenda being implemented since the end of Dilma Rousseff's government (<u>Milhorance 2022</u>).

In perpetuation of his anti-system agenda, Bolsonaro immediately assembled a government cabinet composed of outsiders, chosen for their capability of creating tensions, unmaking consolidated policies and creating attrition with bureaucracies and communities tied to policies in progressive areas, aiming to sabotage the work of previous governments (Avritzer 2021). The criterion of anti-governability for choosing ministries was far from accidental, and total destruction of previous policies in those areas was intentional (Avritzer 2021).

For the Ministry of Education, Bolsonaro appointed three ministers during his mandate, including a fundamentalist of the cultural war theory (Rodríguez 2022), another suspected of fraud while working in the ministry and later fired for defending publicly the imprisonment of supreme court justices (PT 2020), as well as an evangelical religious leader who was accused of influence peddling and corruption while directing public resources from the state fund for education (CNN Brasil 2022).

Despite many other examples, no government ministry demonstrates as clearly the strategy of self-sabotage than the Ministry of Health. While dealing with the Covid-19 pandemic, the logic of destruction of politicians and policies was intensified, as Bolsonaro chose to adopt a radical negationist approach to the crisis (<u>Duarte & César 2020</u>; <u>Avritzer 2021</u>; <u>Avritzer & Rennó 2021</u>), heightening conflicts with subnational governments and producing discordance of public policy related to the pandemic (<u>Abrucio et al. 2020</u>).

Downplaying the virus' severity by calling it a 'light flu' in a clearly negationist approach (<u>Duarte & César 2020</u>; <u>Avritzer & Rennó 2021</u>; <u>Resende 2021</u>), he undermined the public efforts by not using masks in public, promoting public gatherings without use of personal protective equipment (<u>Avritzer 2021</u>), preaching the use of ineffective medications as miraculous cures, opposing the non-pharmaceutical countermeasures to Covid, refusing and delaying vaccination purchases and contradicting expert opinion on all measures (<u>Avritzer & Rennó 2021</u>; <u>Brasil, Câmara dos Deputados 2021</u>), as well as firing ministers of state when something started being done about the pandemic, with no concern for the continuity of policies of pandemic response (<u>Avritzer & Rennó 2021</u>; <u>Resende 2021</u>).

Bolsonaro also included military personnel in high political positions, including active service generals, which transmitted a distorted message about democratic institutions in Brazil (Amorim Neto & Acacio 2020). Between first- and second-tier bureaucratic positions, around 9,000 military officers were appointed



(Boito Jr. 2020). In 2019, 6,157 were already appointed for civilian positions, and 43% of those were for commissioned positions (Resende 2021). One of his appointed generals did not prevent the rupture of the supply chain of hospital oxygen to the state of Amazonas, during the apex of the Covid crisis (Brasil, Câmara dos Deputados 2021), which contributed to Brazil having the second most deaths for Covid and third most infections in the world (Resende 2021). This caused a parliamentary inquiry that would conclude on his involvement in many crimes, both against the Brazilian population and against humanity (Brasil, Câmara dos Deputados 2021).

This investigation, however, did not have any immediate consequences beyond erosion of his popular support, mostly because of three factors: Bolsonaro has been systematically tampering with cases that investigated him and his family (Folha de São Paulo 2020), he had been imposing a legal confidentiality period of one hundred years, the maximum allowed by law in Brazil, to 65 different documents (Contraf CUT 2022; Vila Nova 2022), and he had backup in judicial and legislative branches and investigative and intelligence institutions (Oyama 2020), which held the power to prosecute him, dismissing any possibility of conviction or impeachment against Bolsonaro (Wiziack 2021).

The loss of approval caused by the abysmal pandemic response (Resende 2021), prompted Bolsonaro to start threatening democratic institutions (Avritzer & Rennó 2021), and to the use of online presence to generate fake news and attack the legitimacy of democratic institutions, wielding his followers against the congress and supreme court, both collaborating and antagonizing the political institutions (Avritzer 2021), especially the judiciary branch of government, by often calling for his supporters to protest in support of closing the supreme court (Boito Jr. 2020), and by attacking, insulting and threatening personally federal court justices who disagreed with him on several occasions (Behnke 2021, p. 360; O Antagonista 2021; Uol Eleicões 2022, 2022).

Bolsonaro went so far as to convoke ambassadors from several countries, based on false information, to attack the justice system and elections in Brazil, raising unfounded concerns about the electronic voting ballots, in order to delegitimize them (Couto 2023). So far none of these actions were considered crimes of responsibility by the congress (Boito Jr. 2020), but have since led to him being judicially declared ineligible.

Bolsonaro had no shortage of public pronunciations hinting, promising and even threatening a possible coup d'état, with a singular goal in mind: to promote democratic backsliding and attack democracy in a slow but steady rhythm, subverting the very process that made possible his rise to power (<u>Levitsky & Ziblatt 2018</u>), representing the aggravation of the backsliding process (<u>Reis 2021</u>).

At the end of October 2022, political tensions were on the rise, and the results of the first term already showed the extent of the damage suffered by Brazilian democracy. With 43.2% of all valid votes in the first term (Brasil, Tribunal Superior Eleitoral 2022), Bolsonaro had shown incredible resilience in the election, despite all indications and poll surveys indicating otherwise.

Also, many of Bolsonaro's former ministers, as well as figures tightly related to Bolsonarism, were elected or re-elected for congress, including Hamilton Mourão, the vice president, Marcos Pontes, minister of science and technology, Sérgio Moro, former minister of justice, and Damares Alves, former minister of women, family and human rights (<u>Brasil, Tribunal Superior Eleitoral 2022</u>). In the Chamber of Deputies, conservative support had gained plenty of space with the first term of the election, as the right-wing parties gathered the vast majority of elected officials (<u>Brasil, Câmara dos Deputados 2023</u>).

At the end of Bolsonaro's presidency, he saw a decline in his popular support, which seemed to have eroded his chances of winning, to the point that radical (and most likely illegal) countermeasures were taken to ensure that he would gather more of the undecided voters at the last second. Techniques such as these created an uneven playing field, which can create continuity instead of change in government, despite decreasing popular support (Bunce & Wolchik 2010).



The high-jacking of the independence day as a way to promote himself (Gielow 2022; Gomes & Mazui 2022), the anticipation of payment and increase of promises regarding increasing the government relief (Auxílio Brasil) and kitchen gas relief (Auxílio Gás) which were not present in the budgeting law for the following year (Otta 2022; Uol Economia 2022), the extremely overpriced measures against state taxes on goods and services (ICMS) and the distribution of vouchers to reduce the high on fuel prices (Pereira 2022) are just some examples of measures taken by Bolsonaro within office to ensure his re-election.

Despite such extreme measures, the results on the polls showed a narrow victory for Lula da Silva, by a margin of half a percent. He was elected through a broad coalition government. To ensure support within the political system, and later, to keep support in face of many conflicting interests and to pacify the opposition, Lula da Silva had to make concessions, such as appointing a fervent military supporter to the Ministry of Defense, José Mucio Monteiro (Rodrigues 2022).

Despite Bolsonaro's failure in the polls, his supporters mustered an attempted coup d'état that took place on January 8th, 2023, which ended up in vandalism and depredation of official buildings of all three branches of government (Bernardes 2023). The country was under severe institutional stress, and the legitimacy of its institutions had been undermined (Couto 2023)., which led to a severe instability and the coup attempt. Several measures were since then implemented to restore credibility to institutions and punish those responsible, including establishing two commissions to investigate the event, one in the state assembly and one federal (Brasil, Câmara Legislativa do Distrito Federal 2023); several arrests were determined, including high ranking military members involved with Bolsonaro's ministries; and Bolsonaro's passport was confiscated (Peduzzi 2024), as well as him being declared ineligible due to misuse and abuse of political power (Couto 2023).

#### Final Considerations

The case that led to the attempted coup d'état in Brazil in 2023 can be perceived as the expression of an international trend, in which many countries undergo autocratization by executive aggrandizement. In similar stories, the elected head of the executive branch of government behaves in an autocratic fashion, rejecting or breaking democratic rules, attacking or inciting violence against political opponents, and delegitimizing opposition and the media (Bauer & Becker 2020), seeking a way to keep themselves in power beyond what would be allowed by the rule of law.

Would-be autocrats, similar to Jair Bolsonaro, exploit a polarized political landscape, assuming a populist stance to acquire popular support, designating opposition expressed by well-known figures as a part of the corrupt system, and selling themselves as a representation of society (Mudde & Kaltwasser 2017). The case described in this paper is a textbook example of the process of democratic backsliding through a populist autocrat.

However, despite the fact that Brazil was a relatively young democracy at the time of the coup attempt, factors such as the lack of popular support caused by an abysmal pandemic response with a high death toll and the lack of international support for the coup may have played important roles in insulating Brazilian institutions. Despite there being some long-term consequences, such as decreased governability to the succeeding government, Brazilian democracy was able to withstand the autocratic onslaught this time. It remains to be seen if the unstable political climate that was left behind may be an indication of future attempts, or if it will lead to stronger democratic institutions.

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