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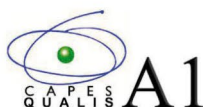
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Low Institutionalism and Populism in Brazil and the United States

Institucionalismo e populismo no Brasil e nos Estados Unidos

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ABSTRACT: This article has as its theme populism and the low institutionality in Brazil. It seeks to answer the question of why populism in Brazil and the United States led to a degradation of the institutions. The hypothesis is the presence of a contemporary authoritarian personality, which, combined with the electoral and administrative strategies allowed by the institutionality itself, led to a degradation of institutions towards a kind of not only economic, but also social anarcapitalism, which consists of a society without rules. The objective, therefore, will be to clarify how this process of low institutionality took place. The method consisted in the use of a hypothetical-deductive stance, where, in a first moment, the contemporary authoritarian personality was studied, in a second moment the forms of circulation of power and Law and, finally, the consequences in loss of institutionality. It was concluded in the sense of the hypothesis, that is, that populist leaders had at hand tools granted by the institutionality itself for the destruction of the rules of a minimally civilized society.

KEYWORDS: Populism. Authoritarianism. Low institutionality. Social anomie.

RESUMO: O presente artigo tem como tema o populismo e a institucionalidade legal no Brasil. Ele procura responder a questão do porquê do populismo no Brasil e nos Estados Unidos ter levado a degradação das instituições. A hipótese é que a presença de uma personalidade contemporânea autoritária, essa que, combinada com as estratégias administrativas e eleitorais permitiu a institucionalização em si, levaram a uma degradação das instituições para um tipo não apenas econômico, mas



também social anarcocapitalista, o qual consiste em uma sociedade sem regras. O objetivo, portanto, será esclarecer como esse processo de baixa institucionalidade tomou espaço. O método consiste no uso de uma posição hipotética dedutiva, na qual, em um primeiro momento, a personalidade autoritária contemporânea foi estudada, em um segundo momento as formas de circulação de poder e do direito e, finalmente, as consequências da perda de institucionalidade. Concluiu-se no sentido da hipótese, isto é, que líderes populistas tinham em mãos ferramentas garantidas pela institucionalidade em si para a destruição das regras de uma sociedade minimamente civilizada.

PALAVRAS-CHAVE: Populismo. Autoritarismo. Baixa institucionalidade. Anomia social.

1 INTRODUCTION

This work has as its theme the understanding of the relations between populism and low institutionalism in Brazil and in the United States. Therefore, the work is limited in time, in the contemporaneity of these two countries, as well as both are the limits of reflection under the spatial aspect. Disciplinarily, the work transits between Sociology, Political Science and Law.

The problem that moves the present work is to answer how North American and Brazilian style populism – connected to leaders with a certain degree of popularity – has led to a degradation of Brazilian institutionality?

The hypothesis is that extreme right-wing populism, connected to already existing tendencies in the population, has used institutional mechanisms to generate a low institutionality, consistent not only in an anarcho-capitalist economic perspective but also in a political-administrative one, with a withdrawal of the State from the social field for the entrance of other groups momentarily endowed and connected to power.

The work is justified scientifically, from the point of view of Law, due to the evident use of identifying the causes of the fragility of Brazilian institutions. Besides, socially, the work has relevance since

it is evident that higher levels of welfare will only be achieved with fully functional institutions.

The general objective is, of course, to confirm the hypothesis. To this end, three specific objectives were outlined, which correspond to three chapters.

The first chapter explores the theme of the authoritarian personality, and how it prepared the emergence of populism. This will involve analyzing, even if briefly, the behavior of the Brazilian masses and how it connects with the different types of Bolsonarists. To this end, the Frankfurt school will be used as a reference. With these references it is intended to make a hermeneutics of society and, thus, to trace the main lines for the understanding of contemporaneity. In a second moment, Luhmann is used to explaining the differences between the system of Law and Politics, as well as the ways in which power and opinions flow within politics. These concepts are bridges to present how Trump and Bolsonaro have brought instabilities to the system of Law, primarily through deinstitutionalization. This de-institutionalization ultimately creates a weakening of republican institutions, which ultimately backfires into politics itself.

The research method used in this work is hypothetical deductive. It will start from a general hypothesis, which is intended to be confirmed. The confirmation of this hypothesis depends, in turn, on argumentative constructions that confirm the statements contained in the general objectives of each subchapter.

2 POPULISM AND POLITICS IN CONTEMPORARY TIMES

The proposal of this paper aims to connect the form of subjectivity in contemporaneity with populism and with the erosion of institutionality in central countries such as Brazil and the United States. Subjectivity is, of course, something related to personality, and, therefore, has an individual dimension. This does not mean that it is

not possible to make a hermeneutics of the subjectivity of a certain time. This hermeneutic is made possible both by the analysis of the social context of psychogenesis, that is, the cultural environment where these personalities are formed and by the results of this same personality, allowing, in a speculative view, the formation of a general panorama. This general panorama explains the formation of populism in Brazil and in the United States, helping to shape the understanding of the circulation of power in these countries.

The observations outlined here refer more to the contemporary subjectivity of part of the Brazilian population. However, since the phenomena are shared in Western society, the constructions are possible to generalize.

A study conducted from 2016 to 2018 found 16 types of Jair Bolsonaro voters (KALIL, 2018). These 16 types received different forms of stimuli via segmentation of political propaganda via social media. At the same time as the popular expression “cattle” – used to refer, in Brazil, to Bolsonaro’s voters – refers to the collectivity in which individuals have no identity and will of their own, on the other hand, they can be ganged together. The observation about the characterization of these groups is quite insightful.

The first profile is that of the so-called “good citizens”, who would be “against corruption”, and who support police brutality against “bandits”. The second group is that of the representatives of “virile masculinity”, where justice would be carried out by their own armed hands. The third curious profile is that of the nerds and gamers, who are allowed to distill prejudice against women and other profiles that eventually invade their little world. The fourth profile is that of members or former members of police forces who imagine that a violent state could generate social peace. The fifth profile is that of the so-called “bolsogatas”, right-wing women, usually from the middle and upper classes, who think that the feminist discourse is one of “victimization”, and therefore support those who are against feminism. The sixth profile is right-wing mothers, concerned about

common mythology called “gender ideology,” in which schools would teach advanced sex practices and especially to “switch sexual orientation.” The seventh group is that of conservative homosexuals, who would be against “effeminate gays” who practice “vulgarity in public.” The profile of “right-wing ethnicities” is made up of women, blacks, indigenous people, and Orientals who would be “persecuted” by the left for being in favor of Bolsonaro, since they would be “against the victimization” of the left. The ninth group is made up of students who preach liberalism and stand against “communist indoctrination” that would happen inside schools and universities. The tenth group is composed of the so-called right-wing peripherals, that is, the poor, who want the “minimal state” because they consider themselves to be entrepreneurs – when, as is well known, they are workers in precarious conditions. The eleventh group is composed of meritocrats, who consider themselves winners by “their own merit”, and whose ideological core consists in the curtailing of social programs, and, therefore, they have their efforts directed against the parties of the left, which represent this type of program. The twelfth group comprises digital influencers whose mission is to “save Brazil” from becoming a communist country, and the thirteenth group is composed of large and small religious leaders, in their crusade against the “depravity of manners”. Finally, the last two groups are composed of Christians in their defense of the “traditional family” and monarchists, who imagine a return to a “glorious past” that never existed.

It is important to mention that Bolsonarist propaganda was aimed at each of these different types and thus found resonance. There was not just one “myth,” but several “myths,” perceived and, why not, loved, in different ways.

The author herself admits, however, that certain stereotypes gravitate around Bolsonarism, such as that of the “good citizen” and “being against corruption” – which would be common representations in the fantasy of each of the types presented above. The reading of this work is that it is possible to find certain psychological traits that can

be generalized and found in the Brazilian authoritarian personality, which allows the emergence of populism.

In other instances (RECK, 2021), resentment has been identified as a predominant trait of Bolsonarist society (KEHL, 2020). Resentment is understood as a feeling that arises in the face of failure in social adequacy, which generates a vengeful reaction against oneself and society. A hyper-individualistic and vain subjectivity (LIPOVETSKY, 2020) was also mentioned, as well as an exhausted one in face of the increasing demands of productivity (SILVA JR., 2020) and a dejected and hopeless one for another destiny. A society where its component members harbor these feelings will evidently be subject to populist outbursts. These observations remain valid but require additional observations.

However this may be elaborated from a separate thesis, the question is: in what sense can the Frankfurt school's notions of an authoritarian personality, mass psychology, and finally machinic subjectivity - all elaborated in past periods - help in understanding contemporaneity? The hypothesis is that these readings are current because they ultimately prove that authoritarianism can lead to social anomy through the bridge of populism. In fact, this is a bold thesis, since the perspectives of the classical authors of authoritarianism link it with an excess of rules and the severity of their enforcement, and here it is advocated that, under certain circumstances, the authoritarian personality can lead precisely to an anomic society, that is, one without any rules at all.

This circumstance is precisely the potentiation of the authoritarian and mass personality so that each person compensates for his weakness, resentment, and failure in the form of megalomania, giving himself norms that are both absolute because they cannot face limits and contestation, and individual since they are generated by and for the individual himself. There is no collective norm obsessively followed and observed, but rather a set of absolute individual norms. The great leader is not seen as a castrating authority, but as an infantile personality that authorizes individual megalomaniacs.

Adorno has the description of the correlation between the choice of totalitarian ideologies and deep personality structures (ADORNO, 2019). Adorno's admittedly complex description of the authoritarian personality encompasses a submissive response to moral idealizations. This submissive response implies an absence of moral judgment capacity, leading to an absence of questioning and consequently moral conservatism, easily observable in contemporary times. The division of the world into weak and strong (and the self-inclusion in the strong camp) addresses a way of thinking that is both superstitious and stereotyped and is particularly susceptible to detachment from reality. This weak-strong division also allows for the admiration of and identification with a leader observed as "strong" and who would be stereotyped in such a condition, being seen without further contradiction. Again, populisms end up taking advantage of such a trait of the authoritarian personality. The authoritarian personality, on the other hand, has what Adorno calls projectivity, that is, a belief in the existence of a dangerous and wild world. This is seen as the contemporary fear of science or the university, places that would be taken over by drugs and sexual orgies.

On the other hand, this work differs from Adorno's conclusions, even by historical distance. While the individual with the authoritarian personality of the 1930s-50s obsessively seeks meaning through the obsessive sharing of common norms, the 20th-century authoritarian does this only in part. It is true that he seeks to violently impose certain standards of behavior related to forms of affection - whose existence they so lack - but on the other hand, the 21st-century authoritarian individual is seduced by a radicalized version of anarcho-capitalism. Antisemitism is present in other forms. Just as the Jew was feared for being powerful, "master of the economy," and at the same time despised for being "weak," in the contemporary authoritarian's view minorities fulfill this role. The gay man, for example, is both "weak" and "despicable" and deserves to suffer violence, but, on the other hand, dominates all the media

and is able to directly influence behavior (including “inducing” the authoritarian to homo-affective behavior).

This social anomie connects with the formation of a machinic subjectivity, in Guattari’s words. Psychogenesis is a social production, and not only an individual process. It depends on a set of factors, and these factors are connected with the ways of seeing and producing. A process that has only intensified since the 50s of the last century to contemporary times is our contact with machines. Machines are responsible for locomotion, comfort, and our work. Human subjectivity, thus, has long been traversed by our relationship with the machine. Machines become agencies of subjectivity, that is, apparatuses for the formation of structures. With laptops, but more specifically with social networks and cell phones (HAN, 2015), machines are not only in the production of goods, but also in moments of leisure and, innovatively and most importantly, appear as forms of expression. Now subjectivity is not only formed from machines but is also expressed with machines in social networks. Finally, the cycle of machinic subjectivity (GUATTARI, 1992) is ready, because with the machine it is produced and expressed and, in the groups formed authoritatively, the crooked affections that may be left in the authoritarian personality are exchanged. The machinic subjectivity, thus, reduces the social and affective ability of the authoritarian and reinforces his illusions of power and frustrations by sharing regrets in very closed and homogeneous groups.

All this shapes a certain herd, flock, or mass (REICH, 1946) behavior - which again may seem paradoxical since what is being described is precisely the triumph of individual megalomania. Brazilian authoritarianism is particularized by the way in which authoritarians had their sexual desires repressed. It should be remembered that Brazil is an extremely eroticized country, being seen as the country of Carnival and libertine social customs and parties. Not partaking in this culture of abundant pleasure leads authoritarians to feelings of frustration. Similar to classic fascist processes, feelings of powerlessness are projected onto weapons and onto leaders who are clearly powerless,

but who are idealized as the exact opposite. The masses are drawn into an instance of reclamation of sexuality. This instance consists of authorizations for each to recover and exercise their potency by projecting it onto the charismatic leader. The populist is seen, in his speeches and actions against the law, as an authentic person. This authenticity is like a cure for any possible criticism that may be leveled at the populist since no matter what he says or does, he is only being “authentic”. This authenticity is shared by the entourage: they all feel entitled not to observe the minimum rules of citizenship, since they are being authentic at this moment. There is a hypostasis of authenticity through exaggeration. The more ridiculous or thuggish the speech or action, the more authentic the subject, be them the populist or the “cattle”.

Thus, there is a mass of blind followers, all hopeful of overcoming their frustrations and projecting their power by exercising a “freedom” that consists of not articulating themselves in society.

Nothing is more representative of this new Brazilian populism than the motto “I authorize”, used to authorize the ex-president to make illegal moves. This “I authorize” is a clear power of attorney given by the masses to the populist. The populist is authorized to take all necessary measures to erode the intersubjective instances, the social exchanges, in favor of an anomic society. In this sense, the process of projection typical in the populist leader is closed, since he is the bearer of the masses’ individual desires.

3 LOW INSTITUTIONALITY IN AMERICAN AND BRAZILIAN POPULISM

Law and politics are two systems that have differentiated themselves – this differentiation being the result of an evolutionary process. Both have in common, obviously, as a basic way of operating, communications, which are the only genuine social operation (LUHMANN, 2007). However,

communications have different characteristics according to whether they are observed by one system or the other. From the political system, communications are characterized by being connected to the function of politics, that is, the generation and implementation of programs that are binding for all collectivity. As for the Law, communications are connected to the function of Law, which is, precisely, to stabilize expectations.

Politics, especially, use the means of power (NAFARRATE, 2004). Power is an additional element to, potentially, any communication. Power is a communication inducer, allowing propositions to be accepted and fulfilled that would not otherwise occur. It is a socially pervasive means of communication, along with money and law, for example.

One should note the difference in functions between the systems. While the function of politics is to generate binding decisions for the entire collectivity, the function of law is to stabilize expectations. Of course, there are interactions. There is the need for collectively binding decisions to take place in a certain territorial space, characterizing the State, a State that claims to have the rule of law. Law benefits from the capacity of politics to mobilize power. Politics, on the other hand, benefits from the stability brought by Law. The political system has its own code, namely government/opposition. Political parties choose and compete to see which side of the code they will be on, and will be judged according to good or bad results, socially perceived as such. Political parties mediate between the public sphere and institutions, offering professionals to fill the bureaucratic ranks, on the one hand, and, on the other hand, keeping open the utopian demands of the public sphere.

Populists Trump and Bolsonaro altered the logic of the circulation of power and law through various mechanisms. The first of these was through a permanent election campaign. The campaign never ended, since the imagined enemies would never have left power. In a situation of permanent electoral campaigning, the populists achieved

several goals. They could never be judged for their good or bad results, since, in the imagination, they would never have actually taken over the government. Moreover, the populists partially erased the figure of the political party. Since they exercised power in an imaginary direct manner, they did not suffer the wear and tear that the party had of simultaneously having to deal with utopias and provide frameworks for the reality of bureaucratic administration. The populist appears paradoxically as above the party since he makes decisions apparently without consulting it, and below the party at the same time, since he would be subject to the rules of the system (which prevent from governing). These two elements cited above are, of course, in the realm of imagination, since the populist has actually assumed power. A third use of the permanent political campaign is that of mobilizing the most radical bases. As was jokingly said in Brazil, the “cattle” need to be fed all the time, and this feeding comes in the form of disinformation. The practice of permanent electoral campaigning confused the code situation and opposition and with it the very idea of government and also of the state since the same figure occupied both sides of the code.

One of the ways to undermine institutionality was through restrictions on transparency rules. Both Trump and Bolsonaro issued measures that restricted access to information in the most varied areas of the Public Administration, notably personal expenses and also those related to the victims of the COVID-19 syndrome. This evidently broke the expectation of impersonality towards public power, since it started to be exercised in a personal capacity.

Institutionality was also affected by the mounting mechanisms of repression of the opposition. In fact, not only was the use of exceptional laws against the opposition attempted (such as the national security law), but also illegal and parallel intelligence structures were created in order to meet the individual demands of the presidency. In general, an environment of persecution of civil servants was created, such as the generation of dossiers, exonerations, and a general fear of opening administrative processes. This way of acting by the public

powers toward their employees and toward the population was imitated by the Bolsonaro instance in general, generating an environment of permanent conflict and even fear in face of the aggressiveness of the entourage.

Since the candidate and the president were indistinguishable, freedom of speech was invoked all the time by the figure of the candidate, already elected. This freedom of speech turned into the authorization to say anything by virtue of the permanent campaign. Support for crimes, insults against opponents, the manifestation of prejudice, and the permanent devaluation of the office itself were constant practices during the mandate of the two populists. Through a path of projection and mimicry, freedom of speech became the possibility to say anything, not only with no regard for the dignity of the other and for the democratic procedure but also for the truth itself (GHIRALDELLI, 2022). An essential characteristic of this new populism was precisely that of the inflation of narratives and meanings. Populism drank and at the same time stimulated individualism when it comes to truths and the interpretation of the norm, thus obtaining legitimization because of the relativism that starts to exist in society. No situation or speech can be communicatively inspected, so there can never be a critique of government conduct.

By far, however, the major form of degradation of institutions has been through the appointment of agents to hold public office. In fact, in the presidential system, the president ends up with thousands of positions either of a free appointment or with very soft conditions. Not only did the exchange of positions for favors occur, as is even common in our Brazilian republican system, but the most serious point yielded with the “colonization” of the institutions by the populist ideology. Key elements in the Judiciary, the Public Ministry, the police, and the high civil service were handpicked by the former president, and they did not disappoint him. Classical interpretations of the law were distorted to favor the former president and his family, accusations full of evidence were not offered, and investigations into clear crimes did not

advance. Examples of this type of practice consisted of the exchange of delegates who had some degree of influence over inquiries that investigated the former president himself or his family. This inaction of the public powers led to the dysfunctionality of the organizations themselves, which began to act in a flagrantly personal way. Thus, public organizations have become both ineffective, as they no longer fulfill their function, and delegitimized in the eyes of the community.

4 REPERCUSSIONS FOR THE BRAZILIAN INSTITUTIONALITY

As stated before, it is possible to notice a general dysfunctionality in the institutions. This dysfunctionality is also visible in the political system as well as in the legal system. It is explained: once the same figure occupies both sides of the political code, namely, situation and opposition, Law also loses functionality, since it is not known who holds the power (symbolically, of course). It is not possible to know which expectations are to be stabilized and maintained.

The lack of confidence in transparency, the impossibility of expecting rational and impersonal answers from institutions, as well as a general perception of lack of respect for laws, and therefore for the possibilities of cooperation, generates a social state that can be characterized as anemic. By social anemia we mean a situation where there is a prevailing perception/expectation that there are no common sense and no common norms – they are even desirable.

Indeed, what to expect from a government that is totally obscure, that plots its actions in secret? What is more, if the principal agent himself does not value his function, why should the other members of the community? All this results in the delegitimization of the institutions.

As previously mentioned, the nomination of agents fully compliant with the bolsonarist perspective resulted in a dysfunctionality of the organizations, which no longer acted in an impersonal way. It

should be remembered that one of the characteristics of bolsonarism is the confusion between situation and opposition, and this characteristic is projected onto the institutions, in which there is an oscillating personal and institutional use of power. The notion that public institutions do not need to follow any rules is generalized, and sometimes even the revolt of the institutions against the notion of civility brought by the Constitution is observed as positive. Thus, anarchy is installed within public organizations. This anarchy interacts, of course, with the non-institutionalized society.

The entire society becomes governed by this logic of anomy, that is, of inexistence and devaluation of rules coming from the State (GHIRALDELLI, 2022). The typical model of this society is the Rio das Pedras neighborhood in Rio de Janeiro. This is the electoral stronghold of the former president of the Republic. That model of society present in that neighborhood tends to be generalized and idealized, namely, a place without rules and where the law of the strongest, or better said, the most armed, prevails. The neighborhood has very few official public services. The people's needs are taken care of by the so-called militia, that is, groups formed by armed gangs, some policemen, or ex-police officers who act to protect the businessmen and citizens of the area. The other community needs, such as leisure, are supplied by the evangelical churches. As far as the economic aspect is concerned, there is evidently no state supervision and regulation.

Regulations are not common and imposed by a single paternal authority like the Fuher of the 1930s. The cattle are so destitute that they need several parents, hence the reason why they are seduced by a conception of an economy where the big companies put the rules that they, as weaklings, will have to obey. However, their conception of anarcho-capitalism is maximized to encompass not only the rule of big business but also of locally organized groups, such as militias, mafias, churches, or social clubs. There are multiple spaces for the reciprocal convincing of power fantasies. In these spaces, members recognize

themselves as perfect, endowed with virtue and, above all, power. Most of the time this is only symbolic, but it can, on the other hand, and more rarely, descend into violence. On a third level, finally, the authoritarian's lack of power even leads him to abandon any group. It is as if each one sets his or her individual norm as the norm to be met, and they must be immune to any conscience or criticism. This immunity allows them to maintain their self-idealized image of being pure and high, despite the meanest thoughts and attitudes (HOURNEY, 1974). This turning to small groups and to oneself generates what can be characterized as an anomic, disorganized society without common norms. Norms do exist, but only as an expression of the desire for power of authoritarian groups and people.

5 CONCLUSION

The populists Donald Trump and Jair Bolsonaro have acted by straining institutionality. Through extreme interpretations of the right of speech and the right to appoint positions, they have achieved a degradation of institutions. In Brazil, the process was more serious, with a real capture of the institutions, which stopped fulfilling their rules of competence. The process spread from the institutions to society, and an imaginary of contempt for the minimum rules of cooperation and even civility prevailed.

Populism was represented as an apparently paradoxical movement of individualistic masses. In fact, authoritarian individuals find themselves in a situation of low power, characterized by a profound difficulty in establishing intersubjective relationships, besides the most extreme resentment and coexistence with machines, conforming a machinic subjectivity. This leads to a need for compensation that results in an extreme and infantile self-affirmation of the ego. This extreme self-assertion generates a process of affinity with another personality that pretends to be the personification of this recovery of power, the

populist. The populist then goes on to implement the project of a society without rules using republican ordinances. They interfere in the State using mostly institutional channels and thus contaminate the impersonal functioning of the State. Soon this dysfunctionality of the State is reflected in society and, with this, we have a society without rules of civility. This is the current state of both the United States and Brazil.

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