shortened version

# THE PATH OF AUTOCRACY Current Strategies for Democratic Erosion

LAUT



# REELECTION OF AUTOCRATS

#### PRODUCED BY THE



CENTRO DE ANÁLISE DA LIBERDADE E DO AUTORITARISMO

Center for the Analysis of Liberty and Authoritarianism We are an independent and non-partisan interdisciplinary research institution committed to creating and disseminating knowledge about the quality of the rule of law and democracy. Our goal is to monitor manifestations of authoritarianism and repression of liberties to inform the mobilization of civil society and the defense of rights.

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Shortened version of **The Path of Autocracy:** *Current Strategies for* 

Democratic Erosion

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# PART I

The international research organizations V-Dem, Article 19, and World Justice Project state the following about the quality and autocratization of political regimes around the world:

# **REELECTION OF AUTOCRATS**

In recent years, the world has faced an accelerated process of autocratization -asubstantive decline in the quality of democracy and a deepening of authoritarian practices. International research organizations have pointed to worsening evaluations of civil liberties and respect for the rule of law in several countries, such as India, Hungary, Poland, and Turkey.

By shedding light on patterns in other countries, the report "The Path of Autocracy: Current Strategies for Democratic Erosion" presents a comparative framework to draw attention to processes currently underway in Brazil. The similarities with other examples occurring in the world, besides local specificities, alert to the potential risk of re-electing an autocratic government in the country. The present document summarizes the results of the research.

# **V-DEM**

# **GLOBAL QUALITY OF POLITICAL REGIMES:**

# **ARTICLE 19**

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# WHAT IS AN AUTOCRATIZATION PROCESS? WHAT IS THE "THIRD WAVE OF AUTOCRATIZATION"?

 $\rightarrow$  By 2018, the autocratization of political regimes affected at least 2.5 billion people globally;

 $\rightarrow$  In 2020, for the first time since 2001, autocratic regimes quantitatively surpassed democratic administrations, reaching 92 countries and 54% of the world population;

 $\rightarrow$  By 2022, of the 179 countries assessed by V-Dem, 30 were classified as closed autocracies and 60 as electoral autocracies - the most common regime on the planet.

## GLOBAL QUALITY OF EXPRESSION AND INFORMATION ENVIRONMENTS:

 $\rightarrow$  In 2020, 51% of the world's population - approximately 3.9 billion people - lived in environments classified as "in crisis." By 2021, that number jumped to 66%, affecting 4.9 billion people.

GLOBAL QUALITY OF RESPECT FOR THE RULE OF LAW:

 $\rightarrow$  In 2020, 45 of the 128 countries analyzed (35% of the total) were below the average level of respect for the rule of law. In 2021, this scenario expanded to 82 out of 139 countries evaluated (59% of the total).

# WAVES OF DEMOCRATIZATION AND AUTOCRATIZATION

The current scenario of democratic crisis has been studied by several areas of knowledge, which try to explain the reasons, the means, and the effects of autocratization globally. Scholars understand that contemporary political history has been marked by periods of democratization and autocratization, also called "waves":

# HOW IS BRAZIL RANKED AMONG THE AUTOCRATIZATION PROCESSES?

The research focuses on four examples to draw possible comparisons with the Brazilian case, given that the political regimes of Hungary, Poland, Turkey, and India have all recently declined in the V-Dem Institute's assessment: 1

# 1830

**IST DEMOCRATIZATION WAVE** Voting rights in the US, France, UK, Canada, Australia, Argentina, etc

# 1920

1ST AUTOCRATIZATION WAVE Consolidation of fascist and Nazi regimes in Europe

# 1960

2ND AUTOCRATIZATION WAVE Consolidation of military regimes in Latin America

# 1940

# 2ND DEMOCRATIZATION WAVE End of World War II and democratic transition from totalitarian regimes

# 1980

# 3RD DEMOCRATIZATION WAVE

Weakening and end of dictatorships in Europe, Latin America, and Asia; end of the USSR

# 3RD AUTOCRATIZATION WAVE

2000

Autocratization of democratic regimes around the world; Hungary, Poland, Turkey, and India are the leading examples

In this context, the new "wave" of autocratization would have, according to scholars, as main characteristics:

### $\rightarrow$ Lack of sharp ruptures:

While many historical experiences of autocratization occurred through coups and changes from democratic to autocratic rule, the current wave would be marked by more gradual and blurred ruptures.

→ Internal erosion of political and justice systems: In recent examples of democratic decay, democratically elected autocrats have made internal changes to the political and justice systems to subvert the functioning of democratic institutions, strengthen the Executive Branch, reduce checks and balances mechanisms, and co-opt other State institutions, Branches, and agencies.

Free, fair, and multiparty ele high level of democratic inst guarantees, such as freedon expression and association universal suffrage; mechani controlling the Executive Br other Branches and instituti legislative and judicial overs protection of individual libe respect for the rule of law.

1 O Democracy Facing Global Challenges indicates that in 2018, the country was on the verge of transitioning to an autocracy but did not do so until the following year.

LIBERAL DEMOCRACY	ELECTORAL DEMOCRACY	ELECTORAL AUTOCRACY	CLOSED AUTOCRACY
Ex: Australia, Finland			Ex: Sudan, Libia, China
	TURKEY	Erdogan's 3rd term	
	2012	2013	
POLAND	Duda's 1st term		
2015	2016		
	HUNGARY	► Orbán's 3rd term	
	2018	2019 <sup>1</sup>	
	INDIA	Modi's 1st term	
	2018	2019	
	BRAZIL		
	2021		
ree, fair, and multiparty elections; a igh level of democratic institutional uarantees, such as freedom of xpression and association and niversal suffrage; mechanisms for ontrolling the Executive Branch by ther Branches and institutions, such as egislative and judicial oversight; rotection of individual liberties, and espect for the rule of law.	Free, fair, multiparty elections; high level of democratic institutional guarantees, such as freedom of expression and association and universal suffrage.	Multiparty elections for the head of the Executive Branch, but below democratic standards due to irregularities and limitations on party competition.	The head of the Executive Branch does not run elections, or they have no significant competition.

# CONTEMPORARY AUTOCRACIES: THE BRAZILIAN CASE

Brazil has been pointed out by international organizations as one of the main examples of a country undergoing a process of autocratization, especially after the election of Jair Bolsonaro to the presidency. The impact of his administration has been reflected in declines in the country's evaluation regarding the quality of the democratic regime (V-Dem), respect for civil and political liberties (Freedom House) and adherence to the rule of law (World Justice Project).

# BRAZIL'S TOTAL SCORES IN DEMOCRACY REPORTS (2018-2021)

V-DEM DEMOCRACY REPORT FREEDOM HOUSE FREEDOM IN THE WORLD

TOTAL SCORE IN 2018

0.56 / 1.00

TOTAL SCORE IN 2021

**0.51**/1.00 **73**/100

TOTAL SCORE IN 2018

75 / 100

TOTAL SCORE IN 2021

WORLD JUSTICE PROJECT WORLD JUSTICE PROJECT

TOTAL SCORE IN 2018

0.54 / 1.00

TOTAL SCORE IN 2021

0.50 / 1.00

# UNDERSTANDING BOLSONARO'S AUTHORITARIANISM

The perceptions highlighted by international organizations are also documented by LAUT, through specific events, on the Emergency Agenda platform. The tool serves as an archive of the actions and omissions of the federal government over the past three years that have undermined Brazilian democracy, pointing out which mechanisms were used to provoke this erosion. To this end, the Emergency Agenda translates the particularities of political authoritarianism and the reduction of democratic institutionality through a five categories classification system called the Authoritarian Inventory. Between January 2019 and December 2021, for instance, it mapped 1,692 acts.

An explanation of the meaning of the typology categories, which also aims to clarify more precisely how Bolsonarist authoritarianism operates, can be found in the full report ("The Path of Autocracy: Current Strategies for Democratic Erosion" - in Portuguese) and our methodology.

# AUTHORITARIAN INVENTORY

NUMBER OF OCURRENCES BY CATEGORY

# 424 DECREASE OF CONTROL AND/OR CENTRALIZATION OF POWER

198 **VIOLATION OF INSTITUTIONAL** AUTONOMY

**620** CONSTRUCTION **OF ENEMIES** 

235 ATTACK ON PLURALISM AND MINORITIES

215 LEGITIMATION OF VIOLENCE AND VIGILANTISM

# PARTE II WHAT IS THE STATUS OF AUTOCRATIZATION IN BRAZIL?

In an attempt to better understand the similarities of authoritarian actions among some of the countries pointed out as the leading examples of the current wave of autocratization, three major areas of political life – education, civic space, and public security – were observed, as well as similar strategies and tactics employed by five ruling autocrats (Brazil, Hungary, Poland, Turkey, and India) to weaken their respective democratic environments.

# **EDUCATION**

Education is a central public policy for deepening democratic societies, whether for their members' personal and professional training, readiness for the labor market, or citizenship development. In authoritarian regimes or those with authoritarian trends, it is historically common for governments to try to control educational institutions and educational actors – teachers, students, and researchers – to weaken the political opposition and conform their actions to the ruling interests and ideologies.

# STRATEGY 1 - POLITICAL-IDEOLOGICAL CONTROL

Attempts to impose political-ideological alignment to regime ideology in the content taught and students' behavior are primarily implemented through changes in primary education systems. This strategy has occurred through three main tactics: combating leftist indoctrination, delegitimizing gender issues, and extolling nationalism.

# STRATEGY 2 - HISTORICAL-SCIENTIFIC REVISIONISM

Incursion to change the approach to historical facts and narratives in school curricula and textbooks, within the scope of primary education, by extolling past governments of authoritarian tendencies with political affinity with current regimes. This strategy has been implemented through two main tactics: changes in curricula and textbooks and alteration of narratives and historical facts.

# STRATEGY 3 - INTERFERENCES IN UNIVERSITY AUTONOMY

University autonomy is usually protected in at least three dimensions: *administrative*, which deals with questions of self-organization of educational institutions, such as the selection of university deans, hiring of professors, and elaboration of statutes; *didactic-scientific*, which refers to the autonomy in the development of pedagogical curricula, research lines, and subject matters; and *financial*, which relates to the budgetary management by the institutions of the transfer of public funds, impacting the infrastructure of universities, payment of salaries, and the granting of student support. In the compared countries, illegitimate interferences have been observed in each of them, constituting three different tactics of interference in university autonomy: administrative autonomy, didactic-scientific autonomy, and financial autonomy.

# STRATEGY 4 - ATTACKS ON INDIVIDUAL LIBERTIES OF ACADEMICS

Within the scope of the individual dimension of academic freedom, that is, of the guarantees of individual rights and liberties to educational actors - teachers, students, and researchers - to carry out teaching, research, and expression activities, state repression has surfaced through two main tactics: censorship of freedom of expression and delegitimization of the scientific community.

# AUTOCRATIC PATH - EDUCATION: BRAZIL

# 2019 -

Letter to state and municipal education offices recommending an "indoctrination-free" school environment

Alteration of the National Textbook Program, excluding commitments to non-violence against women and defense of quilombola culture.

Attempt to issue a provisional presidential decree to empty university councils' influence in choosing federal university deans, which does not become law and loses effectiveness.

# ▲ 2020

A provisional presidential decree is issued during the coronavirus state of emergency to appoint temporary deans without consulting the academic community. The provisional measure is then revoked.

# 2021 •

Professors from the Federal University of Pelotas are targeted by disciplinary proceedings filed by the CGU (Federal Controller General) due to criticism of Bolsonaro. A professor at the University of São Paulo is a target of civil and criminal claims for criticizing, in a newspaper, the performance of the Federal Attorney General and a justice of the Supreme Court.

Request for a bill banning gender issues in education.

Establishment of the National Program of Civic-Military Schools, with a curriculum focused on civism and patriotism.

Claims that textbooks should be changed to mirror the "truth" about the military dictatorship, in an attempt to cover up a period of human rights violations.

Attempt to change the narrative of a military coup to a "political movement with popular support".

Appointment of at least 18 federal university deans who were not among the top candidates on the triple lists, some of whom weren't even on those lists – contradicting a tradition started in 2002.

Cancellation of events at federal universities and institutes with the participation of political figures — such as the then Minister of Justice Sergio Moro – under the allegation of "politically partisan".

Threat of budget cuts to 3 federal universities on the grounds that they were causing "disruption" referring to events and political demonstrations – and a 30% budget cut to all federal universities under the pretext of applying an "equitable" criterion among the institutions

Threat of modification of law conferring the title of "Patron of Education" to educator Paulo Freire - whose legacy is a symbol of political opposition to Bolsonaro. He was called an "imbecile" and "idol of the left" by the president.

#### CAPTION - STRATEGIES

- Political-ideological control
- Historical-scientific revisionism
- Interferences in university autonomy
- Attacks on individual liberties of academics

# AUTOCRATIC PATH - EDUCATION

#### CAPTION - STRATEGIES

- Political-ideological control
- Historical-scientific revisionism
- Interferences in university autonomy
- Attacks on individual liberties of academics

# 2014 •

#### TURKEY – 1st TERM

A professor from the University of Hacettepe and a newspaper editor are targets of legal actions due to an article criticizing the performance of Supreme Court ministers.

# 2015 •

## **POLAND** – 1st TERM The slogan "We must protect children" infers combating leftist ideologies in education

# **1**2020

#### INDIA – 2nd TERM

Opening of a criminal investigation against a professor from V.M. Salgaocar College of Law due to comments on social media about conservative religious practices in the country.

# POLAND - 1st TERM

2019

Professor at the Universities of Warsaw and Sydney, Wojciech Sadursk, is target of inquisitorial lawsuits and legal proceedings due to criticisms on social media towards the government and its party (PiS).

#### HUNGARY – 2nd TERM

Repeal of the possibility for universities to issue internationally accepted degrees, forcing them to move to other countries – the Central European University (CEU) had to transfer its activities to Vienna.

# 2018

# TURKEY – 1st TERM

Government attack on Boğazici University professors, seen as political opponents, accused of being against national values.

#### HUNGARY – 3rd TERM

School curriculum altered in areas such as History and Literature, excluding war defeats of the country from the historical books.

#### **POLAND** – 2nd TERM

Speeches combating gender issues and anti-LGBTQIA+ agendas.

#### HUNGARY - 3rd TERM

Narratives of fascist Hungarian governments are changed in textbooks, being portrayed as examples of nationalism and patriotism.

# TURKEY – 2nd TERM

Educational reform is proposed to "retrive" nationalistic and family values in the education system.

#### HUNGARY - 3rd TERM

Approval of a law transferring the management of public universities to public foundations run by government appointees, generating fear of increased control and political-ideological alignment between the government and institutions, as well as possible budget cuts due to misalignment.

# 2016 •

## POLAND - 1st TERM

Polish-American professor at Princeton University is threatened by the government to lose an award conferred in 1996 because of his work on Poland's role in the Nazi holocaust.

#### TURKEY – 1st TERM

During the state of emergency, a decree removes university participation from the process of choosing deans and transfers it to the Turkish Council of Higher Education (CTES). The decision is upheld after the end of the pandemic state of emergency.

# ▲ 2017

# TURKEY – 1st TERM

School curriculum reduces the scientific approach to Charles Darwin's evolutionary theory and emphasizes creationist religious theory on the emergence of humanity.

POLAND - 1st TERM

Changes in textbooks about immigrants depict Ukrainians as "good examples" of workers; other ethnic and religious groups are portrayed as responsible for social conflicts.

# HUNGARY – 3rd TERM

Approval of educational reform with a curriculum guided by a nationalistic approach and exaltation of former Hungarian governments with fascist identity.

#### INDIA – 2nd TERM

Regulation requires public universities to obtain government permission to hold international events on "national security" and determines an "appropriate level" of assessment to identify "the nature and sensitivity" of shared content

# 2021

TURKEY - 2nd TERM

Appointment of 5 deans for public universities, including a political ally for the Boğazici University, disregarding consolidated selection practices and legal educational procedures.

# INDIA – 2nd TERM

Academics are investigated for alleged violation of anti-terrorism and defense of national security legislation due to critical speeches against the government and political institutions.

# CIVIC SPACE

Civic space is the environment constructed and used by citizens and civil society organizations (NGOs) for demonstrations and claims. It can be restricted or selectively closed to some actors and expanded to others - who did not have much resonance in the past and have started to acquire protagonism - to control or repress criticism.

Therefore, it is crucial for developing democracy - it is a thermometer of the regime's openness and permeability. According to monitoring that evaluates dimensions of freedom of speech, assembly, and association, civic space in countries like Hungary, Poland, and India has worsened in recent years. In Hungary, the assessment of civic space worsened considerably over Prime Minister Viktor Orbán's second term, with a rapidly declining trend since June 2022. In Poland, it shrinked during President Andrzej Duda's second term. A few months after Prime Minister Narendra Modi's reelection, India's situation went from "obstruction" to "repression." In Brazil, there is also a reason for concern: the monitoring of the Igarapé Institute (2020) points out that there are currently "clear signs of an accelerated rollback of the protection and rights of civil society groups."

# AUTOCRATIC PATH - CIVIC SPACE: BRAZIL

2019 ►		2020 ►	2011 •
A provisional presidential decree (not converted into law) eliminates automatic discounting of workers' union dues, reducing sources of income for unions.	High frequency of cases of police violence against protesters and slaughters, congratulated by the president and governors.	The Ministry of Justice makes secret dossier on 579 servers said to be antifascists; state deputy requests data of people considered antifascists, composing a list of 900 citizens.	HUNGARY – 1st TERM Approval of legislation on fre restricting the number of "pu changing the funding mechan centralized in a new institution distributed through bidding.
	▲ 2021		
Ministry of Justice holds procurement for the contracting of spy software that includes the Pegasus system, later removed from the process.	A bill is approved punishing crimes against the Democratic Rule of Law to replace the National Security Law (LSN) - whose interpretation had broadened in the previous years.	Pátria Voluntária program grants at least R\$ 4.3 million without bidding to NGOs allied to the former MMFDH minister (Women, Family and Human Rights).	<b>POLAND</b> – 1st TERM President of the conservative Ordo Iuris, Aleksander Stępk undersecretary in the Forein then is appointed to the Con
2022 ►			2016 ►
Authorization of the assignment of at least R\$ 6.2 million to off-the-shelf NGOs of allies, linked to the soccer agenda.		<ul> <li>CAPTION –STRATEGIES</li> <li>Intervention and regulatory control</li> <li>Surveillance and attacks on civil liberties</li> </ul>	INDIA – 1st TERM From this year onwards, ame are approved, used as a key i freedom of association.

# STRATEGY 1 - INTERVENTION AND REGULATORY CONTROL

It involves enacting laws and regulatory measures that restrict the activities of organizations and create obstacles to their operation, as well as removing spaces for political participation in interactions with the State. As a result, the capacity for mobilizing some civil society sectors is weakened. In contrast, organizations aligned with government agendas can gain space in the sphere of political decisions. Two tactics can be employed in this area: state support and favoritism of agendas and financial and bureaucratic obstacles.

# STRATEGY 2 - SURVEILLANCE AND ATTACKS ON CIVIL LIBERTIES

It involves monitoring civil society organizations and restricting their ability to assemble and associate in the name of various abstract imperatives, such as national security, counter-terrorism, and transparency. As a result, NGOs and citizens become afraid to act and censor themselves (chilling effect). In this area, four tactics can be employed: rhetoric of vilification and conspiracy, use of spy softwares, restriction of rights to protest and assembrly, criminalization and extralegal violence.

# AUTOCRATIC PATH - CIVIC SPACE

# 2013 -

freedom of association "public utility" NGOs and hanism, which becomes ution (NCF), with funds ۱g

# HUNGARY - 1st TERM

Conservative coalition is appointed to represent women's NGOs in the European Institute for Gender Equality, after initiatives to destroy policies of the same agenda.

## HUNGARY – 1st TERM

Government party spokesperson alleges that NGOs serve foreing interests, notably those of philanthropist George Soros.

tive organization ępkowski,, becomes eing Affairs Ministry and Constitutional Court (2019).

# POLAND - 1st TERM

Change in the organization of bids for NGOs reduces the time interval for submitting proposals, cancels bids for lack of allied participants, and hires NGOs with little or no experience.

# 2015

INDIA – 1st TERM

Registration of NGOs, such as Lawyer's Collective and Navsarjan Trust, is suspended by the Foreign Contribution Act (FCRA).

amendments to the FCRA ev instrument to restrict

#### POLAND - 1st TERM

Amendments are made to the right of assembly law, introducing the priority of 'cyclical' assemblies and limiting the right to counter-protest, declared constitutional by the Constitutional Court.

#### **POLAND** – 1st TERM

Because of amendments to the protest law, the Free Citizens of Poland Foundation engages in civil disobedience. It has its board suspended by the Ministry of Interior and a new compulsory administrator in replacement.

# 2016 •

#### INDIA – 1st TERM

Government detains protester Khurram Parvez for 76 days under the Public Safety Act.

# 2017 •

## HUNGARY - 2nd TERM

NGO Lex approved, requiring transparency of organizations' funding sources – equated to Russia's 2012 law, which classifies NGOs as "foreign agents."

#### POLAND - 1st TERM

Law creates the National Freedom Institute, to centralize the distribution of funds to NGOs.

## POLAND - 1st TERM

Police require documentation from NGOs focused on reproductive rights after a wave of proabortion protests.

# **▲ 2020**

# **POLAND** – 2nd TERM

Bill proposes to give more transparency to NGO funding sources.

#### INDIA – 2nd TERM

Amendment is made to the Unlawful Activities Prevention Act (UAPA) to broaden the concept of terrorism. The following year, it is used against 3,000 protesters opposing an act that makes religion the basis for citizenship (Citizenship Amendment Act - CAA).

# ▲ 2019

POLAND - 1st TERM

Activist Elżbieta Podlesna is arrested for displaying a poster with a Madonna, a Christian symbol, wearing an LGBTQIA+ flag.

#### INDIA – 1st TERM

Pejorative terms like "antinational," "urban naxal," "andolanjivis" come into use to discredit critics of the government.

# POLAND – 2nd TERM

Bill similar to Hungary's Lex NGO (2017) is proposed.

#### INDIA – 2nd TERM

Amendments to the FCRA include banning transfers between domestic NGOs of international funds and reducing the cap on spending on administrative expenses by foreign funding from 50% to 20%.

INDIA – 2nd TERM Amnesty International leaves India after government operations.

# 2021 •

HUNGARY – 3rd TERM Bill that grants the State Auditor's Office greater control over NGOs accounting is approved, which now has to prepare annual reports on the financial status of NGOs and how they "influence the public".

# HUNGARY – 3rd TERM

Teachers' strike is prohibited, supposedly justified by the pandemic.

### **POLAND** – 2nd TERM

Abortion activist Justyna Wydrzynska is convicted by the Courts, marking the first case of conviction following the "virtual ban"on abortion in the country since 2021.

# INDIA - 2nd TERM

Under the FCRA law, the government accuses international NGO of conspiracy.

# **▲ 2022**

INDIA – 2nd TERM Oxfam, among others, loses registration under the FCRA.

# 2018 •

#### HUNGARY - 2nd TERM

"Anti-Soros Package" is approved; one of its laws implements a tax for immigration-supporting organizations - such as Open Society, run by philanthropist George Soros.

#### HUNGARY – 2nd TERM

Police monitor the identity of protesters and use facial recognition as a tactic for control and banning of protests.

#### HUNGARY - 2nd TERM

An amendment to the Constitution to restrict the right to assemble on the grounds of private life and family is approved.

# HUNGARY – 2nd TERM Creation of new jurisdiction to judge protest banning is approved.

#### **POLAND** – 2nd TERM

Conservative organization Ordo Iuris founds a university at an event with ministers alluding to the institution's significance in times of crisis in academic life.

#### HUNGARY – 3rd TERM

Press reveals, and officials confirm, that the government spied on at least 300 critics via Pegasus.

#### POLAND - 2nd TERM

At least three government opponents are investigated via Pegasus, a fact confirmed by authorities.

#### POLAND - 2nd TERM

NGOs that help migrants undergo police searches and seizures and smear campaigns for alleged illegal activities.

# **PUBLIC SECURITY**

Public security policies are especially concerned with the State's use of force and repression. They can be used for undue control and restriction of citizens' rights even in democratic regimes. Still, they become even more severe in autocracies, and can result in the curtailment of freedom of expression, restrictions on citizenship and political participation of certain social groups, and further criminalization and imprisonment.

### STRATEGY 1 - SURVEILLANCE AND PRIVACY VIOLATIONS

It presupposes the use of mechanisms that extend government surveillance, whether online or not. Through mass surveillance technologies or individual monitoring (illegal or legitimized by police investigations), citizens' privacy rights are violated. The strategy has been put into practice through four main tactics: use of spy softwares, increased restrictions on Internet use, increased collection of citizens' personal data, and unified acess and expansion of criminalization and police investigation competencies.

# STRATEGY 2 - PENAL POPULISM AND MORAL PANIC

Penal populism is characterized by the rejection of empirical evidence while often presenting proposals that are more punitive, purportedly representing the interests of the people. Moreover, it seeks to mobilize large audiences, usually for electoral purposes. Moral panic is stereotyping certain social groups portraved as a risk to society and its values. In the countries observed, it has occurred through **four** main tactics: speeches and propaganda of constructing an internal enemy, increased policing and militarization, restrictions on citizenship, multiplication of forms of criminalization and stiffening of penalties.

# AUTOCRATIC PATH - PUBLIC SECURITY

# 2006 •

## TURKEY – 1st TERM

Anti-terrorism law – with elastic definitions of "terrorism" – allows data collection on individuals and organizations via online monitoring cameras and access to personal electronic devices to investigate journalists, academics, and members of social movements.

# 2007 -

# TURKEY – 1st TERM

"Internet Law" forces internet providers to monitor content posted online.

# 2010 -

HUNGARY - 1st TERM Since the campaign, Orbán has mobilized nationalist rhetoric against foreigners and the transit of people within the EU

# 2018 •

Bolsonaro says he will "shoot PT voters" during the campaign – and the caricaturing of political opponents as internal enemies, especially those on the left, continues throughout his term.

Bolsonaro says "criminals" should be killed like "cockroaches" by police officers, who should be "protected."

# 2020 -

Government lists the "right to life from conception" as a guideline of the Federal Development Strategy for Brazil, in opposition to the right to abortion.

CAPTION - STRATEGIES

# 2011 •

HUNGARY - 1st TERM The government is accused of using FinFisher

software to access digital records on infected computers and monitor opponents.

# AUTOCRATIC PATH - PUBLIC SECURITY: BRAZIL

# 2019 -

The Citizen's Base Register is implemented, unifying specific personal data and enabling sharing between federal agencies, without care to implement control mechanisms limiting the use of collected data.

Government frequently uses National Security Law devices – broad and poorly defined – to investigate critics and opponents.

Bolsonaro authorizes the use of the National Force in operations linked to ICMBio, to expand the competence of the security forces on environmental issues.

Anti-crime law increases maximum penalty and makes regime progression and parole more difficult, especially for conducts listed in the Heinous Crimes Law.

# 2021 -

A provisional presidential decree amends the Internet Framework (Marco Civil da Internet). However, criticized for expanding the Executive branch's interference in platforms and interfering with their autonomy, it is not turned into law. Later, Bolsonaro proposed a bill reproducing the exact content of the decree

Surveillance and Privacy Violations

# 2022 •

Bolsonaro proposes to change the Anti-Terrorism Law with changes that make it easier for social movements to be framed as terrorists.

Penal Populism and Moral Panic

2013 •

INDIA – 2nd TERM

Since before he took office, Modi has openly asserted the Hindu religious character of his government and has taken a discriminatory position towards the approximately 190 million Muslims in the country.

#### HUNGARY - 1st TERM

András Jori is dismissed from his position as National Personal Data Authority before the end of his term after questioning national consultations containing specific political questions (on economic measures, for example), without being anonymized, contrary to European Union (EU) predictions on privacy. The consultation is carried out to this day in the country.

# 2014 •

### HUNGARY - 1st TERM

The Anti-Terrorism Task Force (TEK) is created, which, in cases of alleged violations of national security, can conduct secret house searches and access communications (digital or not) of investigated persons without consent. The European Court of Human Rights condemns the country for creating TEK in 2016.

#### TURKEY – 3rd TERM

Amendments to the Internet Law authorize public authorities to access user data from companies (such as social networks) and require the removal of content posted online.

#### POLAND - 1st TERM

Since the campaign, the government has positioned itself as fighting "gender ideology," supporting discourses of limiting LGBTOIAP+ and women's reproductive rights.

# 2015 -

#### TURKEY – 4th TERM

National Security Law adds to the previous one on the country's intelligence services, helping to compose the government's "mosaic of authoritarian surveillance" for protests and opponents.

#### **POLAND** – 1st TERM

Programs to strengthen the ideal family model restrict women's reproductive rights, offer financial incentives linked to increasing the number of children in the family, and lower women's retirement age to reaffirm their "caregiving potential."

#### POLAND - 1st TERM

A vague bill is approved to combat "terrorist activities," but it does not define such a category and allows its indiscriminate use against opponents, affecting more directly immigrants.

#### POLAND - 1st TERM

A law allows security forces to access a large amount of citizens' metadata, without effective mechanisms to regulate and control the use of such information, expanding the State's surveillance powers.

#### HUNGARY – 2nd TERM

A facial recognition system is implemented for police use, which, along with information already collected from other government databases, begins to cross-reference such data with collected biometrics.

# 2018 -

#### INDIA – 1st TERM

Minister signs a decree that allows, for public security purposes, ten agencies to monitor, via interception and decryption, information transmitted and stored on computers.

#### HUNGARY - 2nd TERM

Legal possibilities for asylum or refuge in the country are dismantled, and access to these migratory statuses is obstructed - the president says he considers Muslims not as refugees but as "invaders."

#### HUNGARY - 2nd TERM

"Stop Soros" Law criminalizes the actions of NGOs and social movements linked to migration. It creates new crimes related to promoting and supporting illegal migration, such as distributing informational content at the country's borders.

# 2019 •

# INDIA - 2nd TERM

Internet regulation law requires platforms and networks to delete content the government identifies as illegal because it endangers the interests of the country's sovereignty, public order, decency, or morality. Also, a law is presented regulating the internet, requiring companies to provide user information when requested by public authorities — in effect since 2021.

#### HUNGARY - 2nd TERM

Orbán claims in a newspaper that Muslim migrants are a danger to the "Hungarian way of life" because they threaten "Christian values."

#### HUNGARY – 2nd TERM

A wall is built on the border with Serbia and Croatia, and there is an increase in policing and investment in security technologies in the region.

#### ÍNDIA – 1st TERM

Unified public identification program based on Aadhar biometric data collection is initiated without a defined legal framework to control data storage and use. The initiative enables increased persecution against political opponents and members of social movements.

# ▲ 2016

#### ÍNDIA – 1st TERM

The government uses the Pegasus software to collect data from infected cell phone apps to spy on political opponents and journalists.

#### INDIA – 2nd TERM

Additions to the country's anti-terrorism legislation (UAPA) increase the police's power to conduct investigations without respecting citizens' privacy and allow more individuals and civil society organizations to be criminalized as "terrorists."

#### HUNGARY - 3rd TERM

Since 2016, the Pegasus software has been used to spy on journalists and government opponents, such as a Central European University (CEU) PhD student arrested at a protest and accused of violence against police officers.

# 2019 •

#### INDIA – 2nd TERM

The Minister of Home Affairs states that Muslims are "invaders", "termites in the soil of Bengal", and that the government will "catch the invaders one by one and throw them into the Bay of Bengal".

#### INDIA – 2nd TERM

Changes to the Citizenship Act (CAA) take religion into account to ease or hinder access to citizenship, removing legal incentives granted to Muslim refugees and immigrants to regularize their status in the country.

# 2020 •

#### INDIA – 2nd TERM

Police violently suppress protests against Citizenship Law, but allow civilians to react in favor of it, who destroy and loot Muslim neighborhoods.

#### POLAND - 2nd TERM

Legislative change, under the justification of the pandemic, increases the penalty for exposing people to the risk of HIV infection, expanding discrimination against those living with the virus and undermining access to treatment for the disease.

#### POLAND - 2nd TERM

Constitutional Court further restricts the right to legal abortion in the country, excluding the practice in cases of embryonic malformation — the change comes into effect in 2021, accompanied by protests harshly suppressed by police.

# CONCLUSIONS

- → International evidence points to the accelerating degradation of democracy with the reelection of autocrats. This was the case with Narendra Modi in India, Viktor Orbán in Hungary, Recep Erdoğan in Turkey, and Andrzej Duda in Poland. In these countries, the reelection coincided with a worsening of the authoritarian escalation, according to the scale of the V-Dem Institute, which classifies regimes in four degrees: liberal democracy, electoral democracy, electoral autocracy, and closed autocracy.
- → In recent years, international organizations have also pointed out Brazil as one of the main examples of the autocratization process, especially after Jair Bolsonaro's election as president. The impact of his administration has been reflected in declines in the country's assessment of the quality of democratic regime (V-Dem), respect for civil and political liberties (Freedom House), and commitment to the rule of law (World Justice Project).
- → Between 2019 and 2021, LAUT mapping captured 1,692 authoritarian acts at both state and federal levels expressing themselves in enemy construction from government critics, reduction of control and/or centralization, attack on pluralism and minorities, and legitimization of violence and vigilantism.
- → The longer-lived strategies of autocrats in **Turkey**, **Poland**, **India**, and **Hungary** already allow us to see how their anti-democratic effects accumulate and strengthen over time. They make it possible to look with some historical distance and make the chain of strategies and tactics prior to a more visible autocratization. Even so, in the three areas analyzed, there are events in Brazil showing strategies and tactics similar to those of autocrats of other nationalities.
- → To foresee Brazilian scenarios, it is necessary to consider:
- There is a **double pattern of action** of autocrats in the analyzed countries. In a complementary way to using the state apparatus to **block and repress rights and liberties**, there is also the **encouragement and promotion of ideological agendas**.
- Some types of tactics appear as a pattern in all the analyzed areas.. These are the **restrictions on rights through regulatory means, the use of surveillance tools,** the **rhetoric of enemy construction**, and the **expansion of the scope of criminalization of conduct**.
- All the tactics employed use formal (e.g., legislative change, police power, budgetary control) and informal tools (nationalistic discourse, incitement of fear and violence, delegitimization, and vilification).
- There is no ready recipe for stopping or reversing the process of autocratization. Based on the reported experiences, what is known is that the autocrat's reelection endangers the maintenance of democratic competition, the survival of democracy, and individual and collective freedoms.

