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How to Oppose Authoritarian Democracy in Brazil: Human Rights as the People's Constructions, Constitutionally Embedded, and Internal to the Community's Self-Understanding

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Abstract: Authoritarianism is a pathology of Brazilian democracy. Brazilians opposed to Bolsonarist authoritarianism could deploy human rights as mundane achievements of political action by ordinary people. They could oppose authoritarian democracy in Brazil by promoting liberal democratic constitutionalism committed to human rights, particularly by encouraging education toward rendering citizens better informed and more analytic, sensitive to the power of old identities and the power of new social media; by rendering human rights internal to a community's self-understanding as a means to challenge authoritarian democracy; and by championing individual agency and rejecting centralized authority wherever it tramples individual rights. These various methods share a core feature: human rights thinking as a "cognitive style." This feature can be pursued in the context of civic education that encourages citizen participation. Three models deploy this approach in different settings: one for professional activists, one for non-professional community activists, and one for educational use.

Keywords: Brazil. Authoritarianism. Democracy. Human rights. Constitutionalism. Civic education. Social media. Individual rights. Cognitive style. Citizen participation.

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three steps I develop this notion of political agency by interested citizens. (1) I review the democratic election of Jair Bolsonaro to argue that authoritarianism is a pathology of Brazilian democracy. I then argue that (2) citizens could oppose authoritarian democracy in Brazil (a) by promoting liberal democratic constitutionalism committed to human rights, particularly (b) by encouraging education toward rendering citizens better informed and more analytic, (c) sensitive to the power of old identities and the power of new social media, (d) by rendering human rights internal to a community's self-understanding as a means to challenge authoritarian democracy, and (e) by championing individual agency and rejecting centralized authority wherever it tramples individual rights. (3) These various methods all share a core feature: (a) human rights thinking as a "cognitive style," (b) an approach that can be pursued in the context of civic education and that (c) encourages citizen participation. (d) Toward empirical illustration, I offer three models, each addressed to a particular kind of advocate in a particular setting: a model for professional activists, one for non-professional community activists, and one for educational deployment.

1. Authoritarianism as a Pathology of Brazilian Democracy

While tied to Jair Bolsonaro, Bolsonarism is a phenomenon greater than the man. But this man's biography displays multiple receptive environments for Bolsonarism, beginning with his sixteen years as an army cadet and paratrooper to the Rio de Janeiro City Council in 1988; his seven terms as a federal congressman who developed a far-right agenda along the way; a man notorious for calling for President Cardoso's execution for privatizations as well as for dismissing PT congresswoman Maria do Rosário Nunes as "not worth raping"; infamous as well for his stated preference for a dead son to an out-of-the-closet gay son, and his

conviction that *quilombolas* (residents of communities formed by descendants of escaped slaves) are not "good enough for procreation"; and known for having dedicated his vote in Congress during the impeachment of Dilma Rousseff to the army intelligence who had tortured her in 1970 as a political prisoner.[2]

Along the way, Bolsonaro developed a committed base of supporters, a fact that supports the thesis I develop in this article, concerning authoritarian democracy. The Brazilian public widely endorses his dismissal of human rights advocates as advocates of rights for criminals and many voters embrace his nostalgia for the 1964–85 military regime (HUNTER; POWER, 2019, p. 76). And in 2018, voters in world's fourth-largest democracy elected Bolsonaro while defeating the Workers Party (PT) that had been in power between 2003 and 2016. His tiny Social Liberal Party (PSL) won the largest share of popular votes as well as 52 out of 513 seats in the Chamber of Deputies.

During the campaign, the most accurate predictors of voter support for Bolsonaro were voter "income, education, religious affiliation, and region of residence. Bolsonaro won among all income groups except for the poor and very poor" (ibid., p. 77). That is, he won among Brazil's "'traditional' middle class (households earning more than ten times the minimum wage)" as well as among the "'new' middle classes, whose emergence is often credited to the economic growth and social-inclusion policies overseen by the PT" (ibid.). He was overwhelmingly supported by college graduates as well as Pentecostal Christians, who constitute a fourth of the electorate (ibid.). Even though infamous for his misogyny, he even narrowed a gaping gender gap in his support. Except for northeasterners and the very poor, "Brazil as a whole went heavily for Bolsonaro," especially in the

[2] Carlos Alberto Brilhante Ustra, chief of Brazil's secret police during the dictatorship, who faced allegations in the National Truth Commission's report of December 2014 of torturing and "disappearing" opponents (Relatório da Comissão Nacional da Verdade, 10 December 2014 www.cnv.gov.br).

> economically advanced states of the south and southeast and in the Federal District (Brasília). He received 68 percent of the vote in Rio de Janeiro and Sao Paulo, 70 percent in the Federal District, and 76 percent in Santa Catarina, all areas with high levels of human development (ibid., p. 77-78).

But one man does not constitute a national trend. Bolsonarism[3] is a greater threat than the man who instantiates it. My thesis: it is a not a phenomenon somehow outside and beyond mass democracy; it is a pathology internal to it. This can be shown in various ways, beginning with the fact that it is not confined to fringe populism: the overwhelming majority of Bolsonaro's voters were members of the middle class.

Bolsonarism is but one expression of authoritarian democracy,[4] an unexceptional product of social, political, and structural crises. Bolsonarism is a product of contemporary democracy itself. Since 2013, Brazilians widely regarded the establishment parties, including the PT (which won four presidential contests), as responsible for the country's multiple, simultaneous crises: economic recession; high levels of crime and corruption (symbolized by the *Lava Jato* affair);[5] and diminishing trust in established parties. Latinobarómetro—an annual public opinion survey that involves some 20,000 interviews in 18 Latin American countries, representing more than 600 million people—found that, in 2017 and 2018, "Brazil's government had the lowest approval rating of any among this group"; "only 6 percent of respondents said they approved of the incumbent government" (ibid., p. 74). Indeed, the very legitimacy of a democratic form of government waned. In 2018 no country surveyed had a lower level of "satisfaction with the performance of democracy," according to Latinobarómetro: "only 9 percent" whereas in 2010, "the

[3] What Webber (2017) characterizes as a rightwing, antiparty populism; see also PH Leal (2017).
[4] Other expressions of this phenomenon range from Trump in the USA to Orban in Hungary; from Johnson and the Brexit movement in the UK to Duterte in the Philippines; from the Alternative für Deutschland in Germany to the Front Nationale in France (this list is not exhaustive).
[5] Boaventura de Sousa Santos (2016) argues that the anti-corruption campaign in Brazil has been one-sided, focusing mainly on PT leaders.

final year of Lula's government," 49 percent expressed satisfaction (ibid.). As of 2015, more and more citizens concluded that "it doesn't matter whether we have a democratic government or an authoritarian one" (ibid.).[6]

For 30 years a mere fringe candidate, Bolsonaro is now positioned, as president, to undermine the rule of law and cripple human rights. His popular approval and democratic election of Bolsonaro also drew on his image as a strong man who had participated in the 1964-1985 military dictatorship while in the army and now antagonized minorities and human rights activists while calling for an-eye-for-an-eye, a-tooth-for-a-tooth kind of retaliatory law. He stands atop a political system so fragmented that no person or congressional coalition is strong enough to challenge him. He relies on the police (which he may well deploy in urban areas) and the army. As of December 2018, his cabinet includes seven military officers, "one of whom will head the Ministry of Defense (created in 1999 with the explicit intent of advancing civilian supremacy over the armed forces)" (ibid., p. 81).[7]

2. How to Oppose Authoritarian Democracy in Brazil

To say that Bolsonarism is greater than Bolsonaro is to say that, even had Bolsonaro suffered electoral defeat in 2018, or even if he suffers defeat in future elections, the social phenomena that made him possible remain. These phenomena include authoritarian strains within Brazil's contemporary social order, strains that relate back to elements within the electorate. Bolsonarism is tied to the electorate

[6] A September 2016 poll found that only 32% of the population supported democratic governance (RIETHOF, 2016). Yet even in 2009, in the period of four successive PT administrations (under presidents Lula and then Rousseff), popular support was only 55%. Prilliaman (2000) reports widespread cynicism even earlier, fed by popular experience of a judiciary perpetually corrupt and a democracy always failing to deliver substantive change. And as Fogel (2019, p. 153) notes, "Corruption is a political strategy that has long been woven into the fabric of Brazilian politics."
[7] Weizenmann (2019) identifies Bolsonarism with the rejection of the democratic rules of the game, toleration or encouragement of violence, denial of rivals' legitimacy, and curtailing civil liberties.

not along dimensions of, say, race, income, or education levels; it is tied to citizens with authoritarian inclinations. And given the prevalence of authoritarians in the Brazilian electorate, Bolsonaro's base is solid and may even increase over time.

Hence opposition to authoritarian democracy in Brazil today requires an alternative not to democracy or to democratic representation as such but rather to factors that encourage citizens to adopt authoritarian leanings. These persons are carriers of emergent social norms that mark current conditions in the Brazilian polity. With Theodor Adorno (1903-1969) a seminal German philosopher and social critic and a leading member of the first generation of Critical Theory—which argues that oppression is created through politics, economics, culture, and materialism yet is maintained through individual—we might say that "People are inevitably as irrational as the world in which they live" (ADORNO, 2019, p. lii). I don't mean to say that authoritarian democracy *as such* is fundamentally a psychological issue but rather that individuals can be carriers of authoritarian elements and forces.[8] Hence authoritarian democracy is not an antecedent condition but a *consequence* of such individual psychologies. I would describe it in the very terms Adorno (2005, p. 151) speaks of fascism: it "defines a psychological area which can be successfully exploited by the forces which promote it for entirely non-psychological reasons of self-interest." Or as Adorno's fellow Critical Theorist Max Horkheimer wrote in a 1943 letter to their mutual colleague and intellectual collaborator, Herbert Marcuse: "The tendencies in people which make them susceptible to propaganda for terror are themselves the result of terror, physical and spiritual, actual and potential oppression" (HORKHEIMER, 1996, p. 464). In other words, the psychological element in authoritarian democracy is the adoption of authoritarian ideas or attitudes, adoption consciously or unconsciously. But the "ultimate source" must be sought in "social factors which are incomparably stronger than the 'psyche' of any one

[8] To say that humans can be carriers of authoritarianism does not mean that they are necessarily such carriers. For arguments against essentializing accounts of human nature, see Gregg (2020b, 2021b).

individual involved" (ADORNO, 2019, p. xlii).

In choosing Bolsonaro, many Brazilian citizens are not guided by their education, sex, age, income or religious convictions but rather by authoritarian inclinations. What Adorno and his co-authors wrote about fascism may hold for democratic authoritarianism as well: if "political, economic, and social convictions of an individual" in fact "form a broad and coherent pattern" in ways to "render him particularly susceptible to anti-democratic propaganda," he "would readily accept fascism if it should become a strong or respectable social movement" (ADORNO et al., 2019, p. 1).

To protect the project of constructing and guaranteeing human rights in Brazil, critics of authoritarian democracy in general, and of Bolsonarism in particular, need to confront the phenomenon along multiple dimensions. They should promote (a) liberal democratic constitutionalism committed to human rights (b) by means of civic education toward citizens better informed and more critical, (c) cognizant of the power of both old identities and new social media, (d) rendering human rights internal to an authoritarian democracy's community's self-understanding and (e) by championing individual agency and reject centralized authority wherever it tramples individual rights. Consider each matter in turn.

(a) *Liberal democratic constitutionalism committed to human rights*

To counter democratic authoritarianism, Brazilians could promote democratic constitutionalism and a political culture of political liberalism, of diversity, of tolerance. They could advocate for political community founded on the proposition that citizens and other residents together seek the common good. In that effort, they could treat each other with mutual respect while promoting the expectation that all participants are mutually responsible for their behavior. Such a community might

resist authoritarian elements and forces by means of “immanent critique,” that is, an internal critique by the community of liberal democratic constitutionalism. I suggest conditions for immanent critique in part 3 below.

(b) *Education toward informed citizens*

Again, where Adorno and colleagues speak of fascist structure, I see authoritarian democratic structure: the

> modification of the potentially [authoritarian democratic] structure cannot be achieved by psychological means alone. The task is comparable to that of eliminating neurosis, or delinquency, or nationalism from the world. These … are to be changed only as that society is changed (ADORNO et. al., 1950, p. 975).

The critics’ goal, then, is not merely to identify authoritarian democracy but rather to explain it in ways that make possible its eradication. And, as I argue in part 3, “Eradication means re-education. And education in a strict sense is by its nature personal and psychological” (ADORNO, 2019, p. lxix).

(c) *Identity and social media*

In various ways, modern political systems operate, in part, in terms of self-perceptions of groups and group identities: “citizens’ self-perceptions and identities are heavily influenced by what they see, hear, and read: images, words, and ideas” (MÜLLER, 2019, p. 40). The molding of self-perceptions and identities is at work in *liberal* democracies, for example in the form of representative government: the idea (however faulty in practice) is that citizens elect representatives of some of

their policy preferences. It is at work in *authoritarian* democracy as well. Here its advocates are "populist poseurs who have won support by drawing on the rhetoric and imagery of nationalism" to "convince not only their supporters but also their opponents that they are responding to deep nationalist yearnings among ordinary people" (ibid., p. 35)—for example, for societies more closed, and for cooperation less global.

Further, while representative systems mirror popular interests and identities, they also influence them. This shaping capacity is key to opposing authoritarian democracy, but it is a problematic tool. On the one hand, sometimes identity can defeat reasoned argument because arguments from identity are not always particularly effective. On the one hand, reasoned arguments are always vulnerable to defeat by invocations of identity.

Today, social media are a central and pervasive means of influence. Some media adopt the framing and rhetoric of democratic authoritarianism; others, that of political liberalism. Media could be deployed against democratic authoritarianism, especially the medium of the language in which voters' identities and interests find expression. Bolsonaro has "legions of followers on social media (to whom he is known as *O Mito*, or 'The Legend')" (HUNTER; POWER, 2019, p. 76). His messages were spread through social media; they contributed to increasing his base; and they contributed to the splintering of the political community into many competing subgroups, which burdens effective politics and it deters effective opposition.

(d) *Render human rights internal to an authoritarian democracy's self-understanding*

Human rights are an idea but also a value-commitment that can be

transmitted through civic education and by other means.[9] They have a capacity to become a "language" of moral commitment even within authoritarian democratic culture, even if, expectably, not wholly in terms of that culture (indeed, even if in terms that challenge one or more of its aspects, as I show in part 3).

In contemporary political cultures resistant to them, human rights are best introduced as a language not of prescription but of free commitment and empowerment. Their foundation in individual psychology is strongest and deepest when freely embraced by citizens as an aspect of their own social system. Cultural practices to which communal members can freely assent possess a legitimacy *internal* to the community that external belief systems will never possess.[10]

(e) *Champion individual agency and reject centralized authority where it tramples individual rights*

To be sure, various features of authoritarian democracy will be directly challenged by the introduction, into a political community, of a human rights

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[9] Human rights are forever open-ended with respect to definition (as I argue in Gregg [2012, 2016]). Efforts to define and apply human rights will change over time, as the world changes, and as influential political theories wax or wane or undergo internal revision. And thus there is no single human rights frame. One frame might be oriented on individualistic human rights, for example, and another on group-based human rights. By "open-ended learning process" I mean something along the lines of Ignatieff's argument that, if human rights are the "language through which individuals have created a defense of their autonomy," it is "not an ultimate trump card in moral argument. No human language can have such powers" (IGNATIEFF, 2001, p. 83-84).

[10] A human rights frame challenges internal practices most compellingly as an idea internal to that community. An idea once external can become internal through system-level learning, learning that makes a conception of human rights internal to the community. An idea internal to a community can criticize practices within it. It constitutes a capacity for imminent social critique: it is "up to victims, not outside observers, to define for themselves whether their freedom is in jeopardy. It is entirely possible that people whom Western observers might suppose are in oppressed or subordinate positions will seek to maintain the traditions and patterns of authority that keep them in this subjection … [A]dherents may believe that participation in their religious tradition enables them to enjoy forms of belonging that are more valuable to them than the negative freedom of private agency. What may be an abuse of human rights to a human rights activist may not be seen as such by those whom human rights activists construe to be victims (IGNATIEFF, 2001, p. 73-74).

framework stressing individual moral commitment and individual empowerment. Once framed in the cultural logics of that community, human rights will delegitimize some of their, sometimes profoundly. And any plausible understanding of human rights challenges authoritarian democracy. Authoritarianism is characterized by centralized power and limitations on political freedoms of individuals. Authoritarian democracy subordinates individual to the state (with its democratically elected leaders) and downplays the state's constitutional accountability. Under Bolsonaro, it threatens a comprehensive attack on the 1988 Constitution and on Brazil's democratic order more generally. This threat far exceeds the political order's re-orientation under the previous president, Michel Temer, away from textual provisions for social justice, for social and economic rights, and for rights to equality and political protest.[11]

Human rights champion individual agency over group-based agency. They reject centralized authority where it tramples individual rights. In other words, human rights reject authoritarianism in its suppression of individual agency. Hence individualistically understood human rights (which may also be understood as collective or group rights) challenge authoritarian democracy to "learn" greater individualism by "learning" entitlements and immunities for the individual as such.

But this is not to suggest that human rights are coherent only as fundamentally individualistic; such a suggestion is sociologically naive and empirically inaccurate. For the guarantee and realization of human rights of the

[11] Note that Bolosarism began even before Bolsonaro became president. Temer was installed in 2018 immediately after President Dilma Rousseff, re-elected for a second term in late 2014, was impeached in August 2016 (in a "soft coup" that provided access to power by an opposition that perpetually lost at the ballot box). Temer was her Vice-President. An April 2017 poll measured popular approval for the Temer government at just 9% ("Governo Temer tem aprovação de apenas 9%, aponta Datafolha," *O Globo*, 30 April 2017 https://glo.bo/2qBFh7w). A month later the Supreme Court instigated investigations for corruption against 98 parliamentarians (including a third of Temer's cabinet)—not that clientelism and corruption is anything new in Brazilian politics before or after 1985. That same month Temer authorized (and subsequently rescinded) army deployments in the capital city Brasília in the face to a massive march on Congress to demand Temer's resignation (in this way, curbing the right to protest). One month later, the Supreme Electoral Court (TSE) put him on trial for campaign finance violations in the 2014 election (and ultimately dismissed by a 4 to 3 vote).

individual always lie with the group, the community, and the social and political and economic system, and never with the individual. After all, rights are matters of recognition: a person has an effective right if that right is socially recognized. Rights in this sense are a kind of “group performance” rather than a “solo act.” Precisely in terms of local cultural logics, the commitment to human rights can only be effective if it is collective. Even as the “effect of human rights violations can only be felt by the individual and the consequences only suffered by the individual” (MONTGOMERY, 2001, p. 85), the guarantee and protection of individual human rights can only be a communal or collective effort. democracy with liberal democracy.

3. Human Rights Thinking as a Cognitive Style[12]

Pursuing human rights as a means against authoritarian democracy does not rule out going beyond the various limitations that electoral processes set for emancipatory politics. Alternative collective acts of resistance, participation, and democratic politics may be necessary to move a political community from democratic authoritarianism to political liberalism. Here I propose the notion of a metaphorical “human rights state” that operates within or alongside a nation state.[13] I imagine networks of activists that encourage local political and legal systems to generate domestic obligations to enforce human rights. Geographic boundaries and national sovereignties would remain intact but diminished to the extent necessary to extend human rights to all persons, without reservation, across national borders, by rendering human rights an integral aspect of the nation state’s constitution.

Opposition to authoritarian democracy could go beyond electoral processes in another way as well: through civic education, for example as provided

[12] This section draws on Gregg (2016), ch. 5.
[13] A notion I develop at length in Gregg (2020a).

by public schools. Schools have long educated for civic membership. One form of membership, conducive to a free embrace of the human rights idea, involves active participation in civil society. Here participation refers to citizen-to-citizen relations distinct in nature from the citizen-state relationship. Citizen-to-citizen relations can develop out of voluntary associations and social movements. They can derive from pluralism and tolerance. They are possible under circumstances of significant freedom from state control. These factors contrast with conditions typical of authoritarian democracy.

In what follows, (a) I develop a notion of a "cognitive style" that I (b) situate in the context of civic education. (c) I consider forms of civic education toward encouraging active civic participation. (d) I then sketch models that deploy this approach in three different settings.

(a) Human rights as a cognitive style

I draw on cognitive sociology[14] to suggest that political change can sometimes be accomplished by re-framing relevant standpoints, here in the context of certain types of education. Cognitive style is one kind of frame. To frame the world in a particular way is to look for recurring patterns that orient perceptual and intellectual activity and inform a way of doing something. In particular, a human rights cognitive style frames human rights as a cognitively guided way of behavior.

Frames are shared among members of groups and even across groups.[15] By constructing human rights-thinking as a cognitive style, I achieve an analytic focus sharper than competing conceptions of human rights. Among those competing conceptions are human rights as a kind of "belief" (a feeling of certainty

[14] For an overview of current trends, see Strydom (2007).
[15] Although a shared frame may lead to shared convictions and behaviors, it is hardly a homogenizing groupthink that precludes individual perspective.

in the truth of a claim); as a "worldview" (a comprehensive, normative way of regarding social and political life); as an "ideology" (systematically distorted communication); and as a "morality" (a system for the normative evaluation of behavior).

My approach regards human rights as socially constructed norms. Expectably, they differ somewhat from locale to locale given differences in the opinions, preferences, and experiences of the constructors. They differ with respect to what is included on a list of human rights and with respect to how any given human right is to be understood locally, when applied in concrete situations. When a human rights cognitive style is brought to bear in pedagogy, its openness to difference allows for a pluralistic, anti-authoritarian approach to civic education.

A human rights cognitive style pursues a pluralistic pedagogy toward encouraging the development of a critical, questioning citizenry, in part by encouraging thoughtful citizen engagement in the public sphere. It can do so because it itself is critical. In distinction to Pierre Bourdieu's (1990, p. 74) notion of *habitus*—a kind of knowledge acquired not through formal learning but through practical experience—a human rights cognitive style can be highly reflected and self-conscious (for example, if developed through education). With *habitus* it shares the mutually influencing relationship between the individual's social environment and his or her cognitive orientation in the world.[16]

Bourdieu focuses on how this relationship sustains an oppressive social environment by reproducing systematically distorted information in the heads of participants. I argue that the same relationship could encourage human rights-friendly change in an authoritarian environment by motivating participants to examine that environment in terms of human rights standards. A human rights

[16] Sharing comes about through the "coherence that the generative principles constituting that *habitus* derive from the social structures (the structure of relations between the groups, the sexes or the generations, or between the social classes) of which they are the product and which they tend to reproduce" (BOURDIEU, 1990, p. 95).

cognitive style becomes less reflexive and more self-evident over time if the social environment becomes more human rights-friendly.[17]

A human rights cognitive style advances liberalizing education in John Dewey's (1966) sense of a "pedagogy of democracy": it develops capacities for civic participation. To be sure, democracy is not cosmopolitan, and it can be narrowly nationalistic. It cannot be globally inclusive, like human rights; it is inherently exclusive, as in proffering voting rights for citizens but not for non-citizens.

Moreover, whereas citizen education pursues one form of socialization, human rights education pursues another. Democratic education is based on the *citizen;* human rights education, based on the *human person regardless of membership in any particular political community*. Legitimacy in the democratic project refers to the will of the majority of a particular people, within the territorially delimited nation state. In the human rights project, legitimacy refers to standards not tied to any particular state. Indeed, human rights directly challenge some national norms, preferences, understandings, and priorities. They challenge national sovereignty,[18] identities, and commitments.

Human rights are cosmopolitan in the sense that they aspire to universal embrace. But they are not synonymous with cosmopolitanism as such. Cosmopolitanism in its strongest form is free of local, domestic, and national convictions, prejudices, commitments and other attachments. By contrast, human rights have their greatest purchase precisely at the local level. They must always work with, and adapt to, local circumstances.[19] In this localist spirit, democratic education pursues values that are initially non-cosmopolitan, for example the value of a settled community, with a putative right to preserve a way of life, hence also a right to reject would-be immigrants.

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[17] To be sure, *habitus* never becomes entirely unreflective: "Inculcation is never so perfect that a society can entirely dispense with all explicit statement" (ibid., p. 107).
[18] Compare Gregg (2021a, 2021c).
[19] See Gregg (2012) for examples of human rights pursued in context-sensitive ways.

And yet a human rights cognitive style ultimately shifts away from an overriding concern with the sovereign state. It shifts away from traditional preoccupations with citizenship; it shifts away from state-based goals of fostering national citizens. It focuses on membership of a different kind: membership in a metaphorical human rights state. A human rights state aspires to transform the corresponding nation state and, in bringing about human rights-friendly domestic change there, aspires to an eventual global community in which individuals everywhere enjoy the moral standing of human rights-bearers.

Brazil might participate in this aspirational movement in part by means of a human rights cognitive style. The civic formation that it fosters loosens the tight territorial focus that characterizes the nation state. The cognitive style encourages a conception of national citizenship in which human rights are an internal feature. It encourages a cosmopolitan perspective associating members of different national communities in terms of mutually shared human rights.

(b) *Delivering a human rights cognitive style via civic education*

To seek social transformation through civic education is to attempt social change through ideas and through the consequences of ideas for the behavior of people who hold them. Education so understood makes significant political claims, above all: for social change through reasoned persuasion, not coercion of any kind. It implies several things: that schools themselves can be part of the transition away from authoritarianism; that schools—with educators who possess some understanding and experience of democratic principles, and some idea about how to realize them—can affect the community to some extent, and be affected by it; that policies of education both reflect and condition the political culture that generated them. Further, social transformation through civic education entails changes in

curriculum and pedagogy that contribute to bringing about certain changes in society. My interest here is not on curricular issues (such as economics, civic responsibility, or civil rights) but on the transmission of a particular cognitive style.

Education is hardly the only means to address the specific challenges that an authoritarian legacy poses to the human rights project. And education extends beyond the format of education along all the institutional stages between the ages of 4 or 6 and 16 or 18, and beyond formal settings. Other spaces for education include secondary group associations such as labor, church, or trade associations. Other spaces include nongovernmental advocacy organizations, group political mobilization, and adult civic education.

Civic education toward political socialization and the transmission of values is possible also in the "peer group, the mass media, religious institutions" (SLOMCZYNSKI; SHABAD, 1998, p. 753). It is possible in the family as well. Indeed, "family and peers provide the strongest learning relationships and the most effective community for citizenship learning" (HOSKINS et al., 2012, p. 442). For example, "peer-led citizenship education or the involvement of parents active in politics and/or the community into schools" (ibid.).

By education I intend something rather broad, such as projects aimed at training various kinds of local "norm entrepreneurs," to target norms of communal decision-making, social responsibility, and conflict resolution. To differing degrees, every nation state today utilizes education to legitimize the social order, to create national identity in individuals, and to assimilate individuals into the political community. Civic curricula traditionally emphasized duties and authority, loyalty and patriotism, nation and family.

But current efforts are stuck in the past if civic education follows a centralized and standardized pattern. But civic education challenges traditional notions of citizenship as closely tied to a nation state. It still seeks to create citizens but less through homogenization, assimilation, and inclusion, and more by allowing

for some diversity and incorporating sub-national groups into the idea and practice of citizenship.

Civic education does not translate inevitably into a human rights-drive curriculum, of course. But such education remains particularly promising in generating receptiveness to the human rights idea.[20] To encourage independent and critical thinking, economic and political liberalization is best pursued through alternatives to the centralized-state legacy of uniformity in curricula, textbooks, and teaching methods.

(c) *Civic education toward active civic participation*

My vision of a human rights cognitive style grounds human rights in an “epistemic position” rather than, say, in ontology, morality, or theology. By *epistemic position* I mean an “ideational” approach in the sense that civic education assumes that social beliefs and behavior are determined in part by the individual’s ideational orientation, that is, her cognitive, normative, and affective perceptions of her political community. In some cases, what a person learns in childhood endures into adulthood and enduringly shapes her values and behaviors.

Not all determinants of political participation are ideational, of course. My approach isolates one factor among many others that, in various combinations, affect the individual’s civic participation. Other factors include occupational status, education, and sex (among other variables of social stratification); the nature of

[20] From a cultural perspective, education in the form of childhood socialization determines the individual to such an extent that the displacement of one set of learned attitudes with another sometimes depends on generational replacement. To be sure, members of a cohort do not experience socialization monolithically; differences in sex, ethnicity, or family position, among other factors, can generate significant differences within a cohort. From an institutional viewpoint, adults always already relearn—as a means of coping with changing social circumstances and regardless of childhood. A third approach combines these two perspectives into the idea of lifelong learning.

political discussion (open or closed); relationship to the community (rooted or transient); quality of the local media (high or low); as well as skills and knowledge relevant to participation. The latter is particularly important as one factor in opposing authoritarian democracy. Engaged forms of citizenship facilitate effective participation whereas a “lack of knowledge” affects the

> quality of the political choices made: uninformed citizens tend to base their decisions on the personal and social characteristics of political leaders rather than on the content of party programmes. Knowledge has also been associated with wider horizons and a stronger engagement with societal issues (HOSKINS et al., 2012, p. 423).

Research indicates that civic education toward civic participation is most effective among persons better integrated into their local networks; among persons “more active in other secondary groups and associations” (FINKEL, 2002, p. 999); and when the pedagogical means are frequent and employ participatory methods (ibid., p. 1015). Evidently civic education toward civic participation is also most effective among persons with higher levels of education. Indeed, “highly educated citizens in more repressive countries are more likely to hold a critical view of their country’s human rights conditions” (CARLSON; LISTHAUG, 2007, p. 467). Further, approaches to civic education increase in effectiveness as they become less formal. They are more effective if participatory or paraticipant-led. Discussion with “parents and peers about politics, media consumption on politics and an open classroom climate for discussion” facilitates learning (HOSKINS et al., 2012, p. 443).

What might a human rights cognitive style contribute under these circumstances? Inasmuch as it regards the individual as a human rights-bearing being, a human rights style encourages the individual to view him—or herself as a “sovereign protagonist of rights claims (of self and also of others)” (MEYER et al., 2010, p. 113). To so view oneself is all the more important for weaker members of the community, often women in general, the elderly, indigenous persons,

homosexuals, the disabled, and minorities of various kinds.

A human rights style also provides its carrier with reasons for taking up the role of civic protagonist: to be an active participant in civil society and to value participatory rights. Allowing carriers to view themselves as human rights-bearing allows them to regard themselves also as a claimants to other rights, such as equal membership in political community. Here membership is a matter of civic participation, a matter of social and interpersonal competencies that become available when individual rights penetrate group rights, and when individual rights penetrate oppressive communitarian norms in ways protective of the individual. These competencies become available through equality of rights but also through freedom from coercion in, say, marriage and its dissolution; through autonomy in matters of conscience; enfranchisement; and through freedom from discrimination on the basis of sex, ethnicity, and national origin.

While individual rights in an authoritarian democracy must be balanced with social responsibilities, my proposal shifts that balance more toward the individual.[21] A human rights cognitive style emphasizes individual rights; it offers an interpretation of human rights that stresses individual rights over group rights. Here I mean individual rights specifically in contrast to "second wave" ideas of human rights that animated various socialist[22] and labor movements in the last decades of the nineteenth century and the first decades of the twentieth, and also by contrast to a "third wave" conception following from decolonization after World War II: notions of collective rights such as a community's right to socioeconomic development, a right to a safe environment (for example, one free from malaria), or a "people's" right to political and cultural self-determination. Of course, individualism does not

[21] As it remains mindful of contexts where only group rights can deliver some human rights, sometimes for example in the case of some indigenous peoples. See Kymlicka (1995). I show as much with specific reference to indigenous peoples in Brazil and elsewhere in Gregg (2017, 2019a, 2019b, 2020c).

[22] On the enduring possibility of socialism beyond human rights yet in partnership with them, see Gregg (2020d).

necessarily preclude solidarity; citizenship does not have to exhaust personal identity; and an emphasis on each person's unique identity need not preclude citizenship.

A human rights cognitive style resists any agenda of state cohesion, cultural unity, and unconditional loyalty to state and nation. It resists discourses of patriotic education that drive agendas in which authoritarianism trumps liberal democratization, individualization, civic attitudes, pluralism, and tolerance. Ideally it promotes "individual autonomy, respect for diversity, challenging authority and standing up for one's rights" (JANMAAT; PIATTOEVA, 2007, p. 532).

My proposal departs markedly from traditional education for state citizenship that emphasizes "responsibility, conformity, national loyalty and service to the community" (ibid.). When pursued under conditions of authoritarian democracy, education in a human rights style offers an encouraging perspective to persons who are as distrustful of the contemporary state (and their fellow citizens). For authoritarian communities, education in a human rights style offers an alternative to intolerant ethno-national identities. It can replace a pedagogy of conformity, loyalty and patriotism with one of pluralism, individual autonomy, active citizenship, and independent thinking.

(d) Three models for deploying a human rights cognitive style

How might aspects of human rights thinking best be delivered to its addressees in Brazil? No one has ever attempted a general theory of effective delivery by cognitive means. The theory of a human rights cognitive style attempts just that. When I speak of civic education in the following models, I speak of what a cognitive style might be able to deliver.

I begin by noting that, like all social constructions, human rights are

culturally and normatively relative with respect to source, meaning, and practice. To view moral systems as socially constructed is not to deny that society is prior to any individual's experience and understanding. It is to affirm that "whatever an agent seeks to do will be continuously conditioned by natural constraints, and that effective doing will require the exploitation, not the neglect, of this condition" (GOFFMAN, 1974, p. 23). To view moral systems as socially constructed is to assert that a human rights style is always already embedded in particular cultural and historical traditions. In many ways, local perceptions are core to the human rights project. That project can only begin locally, even as it aspires to ultimately global reach. Opposition to authoritarian democracy can begin locally, in three ways among others.

First, a human rights style frames local contexts toward identifying and criticizing beliefs, practices, traditions, and social structures that discourage human rights or violate them. It frames local contexts toward altering behaviors and structures that discourage human rights practice.

Second, cognitive styles are shareable because they spring from concrete ways of life. Hence if viewed as a cognitive style, human rights do not appear as something given, metaphysically or theologically. They appear as the constructions of particular communities at particular times. The field for advancing the project for human rights is made up of groups and communities that collectively construct norms for themselves, for example, in opposition to authoritarian democracy.

Third, a human rights cognitive style does not entail any particular form of human rights advocacy. Among many possible forms of persuasion by means of different models of education for opposing authoritarian democracy in Brazil today, I offer three.[23]

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[23] All three models are oriented on long-term processes of cultural, social, political, and economic transformation rather than on urgent mobilizations of international resources in human rights-emergencies. For each model, I draw on Tibbitts' conception of epistemic and practical models

- *A model for professional activists.* This model provides skill development. It targets various kinds of relevant professionals, from legal professionals (police, lawyers, judges, prosecutors) to journalists, from health and social service workers to civil servants, to military personnel. It targets them for training in monitoring violations, registering grievances with national or international organizations, bringing legal cases, accessing media outlets, lobbying public officials, and promoting accountability in public and private institutions. This model motivates professionals to deploy their knowledge, skills, and networks in procedures defending human rights, in legal contexts and in other venues. A human rights cognitive style opens up for relevant professionals a perspective on their capacity to realize the human rights-relevant potential of their skills in ways likely not anticipated by their formal training or much of their professional experience.
- *A model for non-professional community activists.* This model addresses vulnerable populations, such as victims of abuse and trauma. It is more difficult to implement than the other two. It seeks to change beliefs, practices, and institutions that are human rights violative (in the family, in the workplace, in the public sphere, in religious communities). It does so by training participants in leadership, conflict-resolution, human rights-relevant vocations, and in other forms of activism. It is community based and focused on changing and building the local community, for example in school settings, refugee camps, women's shelters, soup kitchens, and ghettos of the socially marginalized. This model operates through the therapeutic thematization of participants' experience as victims of human rights abuses. It can equally focus on violators and those at increased risk of becoming future perpetrators, such as young men in a country at risk for civil war. A human rights cognitive style for activists, for victims, but also for perpetrators, focuses on framing traumatic experience in ways to render it a resource for motivating

(2002), although not in ways consistent with her self-understanding. For example, she does not employ a theory of cognitive style.

restorative self-regard for victims in a larger context of human rights-supportive behavior.

- *A model for educational deployment.* A third model engages in social critique toward identifying the human rights-relevant aspects of institutions, understandings, and practices—toward analyzing social, political, cultural, and policy issues in terms of a human rights framework. It attempts to generate widely shared support for human rights within a political community, and to generate opposition to institutions and authorities that violate human rights. It is transmitted through teaching about human rights (in terms of history, for example, or in terms of institutions such as international courts, or in examples from human trafficking, to child labor, to violations of an individual's bodily and psychological integrity). It is be advanced by integrating the idea of human rights into local public values and understandings (through school curricula, popular culture, and public awareness campaigns, for example). This model is largely cognitive; unlike the other two, it does not aim at developing relevant skills for human rights activism and conflict-resolution. A human rights cognitive style here functions as a tool of analysis and persuasion.

Conclusion

I have argued that Brazilian citizens opposed to Brazil's authoritarian democracy should recognize this authoritarianism as a pathology of Brazilian democracy. They can oppose it by deploying human rights as mundane achievements of political action by ordinary people. They can oppose it by promoting a liberal democratic constitutionalism committed to human rights, in part by encouraging education toward rendering citizens better informed and more analytic, and by rendering human rights internal to a community's self-understanding. If, as I have argued, authoritarianism as a pathology of democracy is created through

politics, economics, culture, and materialism, yet is maintained through individual consciousness, then opposition to authoritarianism must address individual consciousness. It can do so by means of human rights thinking as a cognitive style in the context of civic education that encourages citizen participation, toward persuading citizens who are now carriers of authoritarian elements and forces to become aware of how the authoritarian ideas and attitudes of Bolsonarism renders them susceptible to propaganda for social terror and politial oppression. Toward challenging and overcoming social and political factors complicit in authoritarian democracy, factors incomparably stronger than individual consciousness, citizens need to form a broad social movement. One form that movement might take is what I proposed as a human rights state. As a means to move an authoritarian democracy to political liberalism, a human rights state challenges the conviction that the nation state can only have a zero-sum relationship with human rights. As a social movement, the human rights project can be effective precisely where it is established and enforced at local levels as locally valid norms. But it need not remain local. Citizen participation in a human rights state can expand from multiple local venues outward, toward overlaps with other locally established and enforced conceptions of human rights, eventually to an entire nation state freed from authoritarian democracy and restored to liberal democracy, and then to human rights projects beyond the nation state, projects grown in their own local soils in various parts of our world today, toward an international movement against authoritarian democracy.

References

ADORNO, Theodor (1948). Remarks on the authoritarian personality. *In*: ADORNO, T.W. et al (1950). *The authoritarian personality*. London: Verso, 2019.

ADORNO, T.W. et al (1950). *The authoritarian personality*. London: Verso, 2019.

ADORNO, T.W. et al. *The authoritarian personality*. New York: Harper and Row, 1950.

ADORNO, Theodor (1951). Freudian theory and the pattern of fascist propaganda. *In*: ADORNO, T.W. *The culture industry*: selected essays on mass culture. Ed. J.M. Bernstein. London: Routledge, 2005.

BOURDIEU, Pierre (1980). *The logic of practice*. Trans. R. Nice. Palo Alto: Stanford University Press, 1990.

CARLSON, Matthew; LISTHAUG, Ola. Citizens' perceptions of human rights practices: an analysis of 55 countries. *Journal of Peace Research*, 44, p. 465-483, 2007.

DEWEY, John (1916). *Democracy and education*. New York: The Free Press, 1966.

FINKEL, Steven. Civic education and the mobilization of political participation in developing democracies. *Journal of Politics*, 64, p. 994-1020, 2002.

FOGEL, Benjamin. Brazil: corruption as a mode of rule. *NACLA Report on the Americas*, 51, p. 153-158, 2019.

GREGG, Benjamin. *Human rights as social construction*. New York: Cambridge University Press, 2012.

GREGG, Benjamin. *The human rights state: justice within and beyond sovereign nations*. Philadelphia: University of Pennsylvania Press, 2016.

GREGG, Benjamin. A socially constructed human right to the self-determination of indigenous peoples. *Revista Deusto de Derechos Humanos* (Spain), p. 105-143, 2017.

GREGG, Benjamin. Against self-isolation as a human right of indigenous peoples in Latin America. *Human Rights Review*, 20, p. 313-333, 2019a.

GREGG, Benjamin. Indigeneity as social construct and political tool. *Human Rights Quarterly*, 41, p. 823–848, 2019b.

GREGG, Benjamin. The human rights state: advancing justice through political imagination. *In*: SCHMIDT, Kerstin (ed.). *The state of human rights*: historical genealogies, political controversies, and cultural imaginaries. Heidelberg, Germany: Winter Verlag, 2020a. p. 121-143.

GREGG, Benjamin. Construção social de uma natureza humana voltada para os direitos humanos. Translated by Heitor Pagliaro. *Boletim Goiano de Geografia* (Brazil), 40, p. 1-24, 2020b. Original title: Social construction of a human rights-oriented human nature.

GREGG, Benjamin. The indigenous rights state. *Ratio Juris*, 33, p. 98-116, 2020c.

GREGG, Benjamin. A socialism beyond human rights yet in partnership with them (review essay on MOYN, Samuel. Not enough: human rights in an unequal world. Cambridge, MA: Harvard University Press, 2018). *Kritikon Litterarum*, 47 (3-4), p. 376-381, 2020d.

GREGG, Benjamin. Human rights require yet contest state sovereignty: how a human rights corporation might help. *In*: CADILHA, Susana; CAMPOS, Andre Santos (eds.). *Values and identities***:** crossing philosophical borders. London, UK: Rowman and Littlefield, 2021a.

GREGG, Benjamin. Against essentialism in conceptions of human rights and human nature. *Human Rights Quarterly*, 43, p. 313–328, 2021b.

GREGG, Benjamin. Beyond due diligence: the human rights corporation. *Human Rights Review*, 22, p. 65-89, 2021c.

GOFFMAN, Erving. *Frame analysis*: an essay on the organization of experience. Cambridge: Harvard University Press, 1974.

HORKHEIMER, Max. *Gesammelte schriften*: Band 17. Frankfurt a.M.: Fischer Verlag, 1996.

HOSKINS, Bryony; JANMAAT, Jan Germen; VILLALBA, Ernesto. Learning citizenship through social participation outside and inside school: an international, multilevel study of young people's learning of citizenship. *British Educational Research Journal*, 38, p. 419-446, 2012.

HUNTER, Wendy; POWER, Timothy. Bolsonaro and Brazil's illiberal backlash. *Journal of Democracy*, 30, p. 68-82, 2019.

IGNATIEFF, Michael. *Human rights as politics and idolatry*. Princeton: Princeton University Press, 2001.

JANMAAT, Jan; PIATTOEVA, Nelli. Citizenship education in Ukraine and Russia:

reconciling nation-building and active citizenship. *Comparative Education*, 43, p. 527-552, 2007.

KYMLICKA, Will. *Multicultural citizenship*: a liberal theory of minority rights. Oxford: Clarendon Press, 1995.

LEAL, PH. Bolsonaro and the Brazilian far right. *Democracia Abierta*, 24, April 2017. http://bit.ly/2sMsAYq.

MEYER, John; BROMLEY, Patricia; RAMIREZ, Francisco. Human rights in social science textbooks: cross-national analyses, 1970–2008. *Sociology of Education*, 83, p. 111-134, 2010.

MONTGOMERY, Heather. Imposing rights? a case study of child prostitution in Thailand. *In*: COWAN, J.; DEMBOUR, M.; WILSON, R. (ed.). *Culture and rights*: anthropological perspectives. Cambridge: Cambridge University Press, 2001. p. 80–101.

MÜLLER, Jan-Werner False flags: the myth of the nationalist resurgence. *Foreign Affairs*, 98, p. 35-41, 2019.

PRILLIAMAN, William. *The judiciary and democratic decay in Latin America*: declining confidence in the rule of law. Westport, CT: Praeger, 2000.

RIETHOF, M. Why Brazil's political crisis matters for Latin American democracy. *Global Observatory*, 7 September 2016. http://bit.ly/2olOIrH

SANTOS, Boaventura de Sousa. Brazil: democracy on the edge of chaos and the dangers of legal disorder. *Critical Legal Thinking*, 26 March 2016. http://bit.ly/1UBwA9M

SLOMCZYNSKI, Kazimierz; SHABAD, Goldie. Can support for democracy and the market be learned in school? A natural experiment in post-communist Poland. *Political Psychology*, 19, p. 749-779, 1998.

STRYDOM, Piet. A cartography of contemporary cognitive social theory. *European Journal of Social Theory*, 10, p. 339–56, 2007.

TIBBITTS, Felisa. Understanding what we do: emerging models for human rights education. *International Review of Education* / Internationale Zeitschrift für Erziehungswissenschaft / Revue Internationale de l'Education, 48, p. 159-171, 2002.

WEBBER, Jeffery. *The last day of oppression, and the first day of the same*: the politics and economics of the new Latin American left. Chicago: Haymarket Books, 2017.

WEIZENMANN, Pedro Paulo. Tropical Trump? Bolsonaro's threat to Brazilian democracy. *Harvard International Review*, 40, p. 12-14, 2019.