Introduction. This paper represents the changes which has brought in new changed ground realities. Lot of new developments have started taking place, ever since the advent of coronavirus. The author is neither a soothsayer nor an astrologer who can adequately predict the coming future. However, at the time of writing, some broad trends are emerging on the horizon, which could impact the evolution of a new world order in cyberspace. These emerging trends are beginning to point in the direction of an irreversible change in cyberspace.

Materials and methods. The methodological basis of the study was made up of following general scientific and special methods of cognition of legal phenomena and processes in the field of Cyber law, Cybercrime & cybersecurity during coronavirus age: a system-structural analysis method; method of synthesis of social and legal phenomena; comparative legal method; and formal logical method.

The results of the study. The analysis revealed that, the Cyberspace is full of so much of information and misinformation that people are clueless as to which information source they should rely upon and which they should not. In this pandemonium, that exist across the world, some broad new areas are emerging which are engaging the attention of numerous stakeholders.

Discussion and conclusions. In today’s Coronavirus times, nothing can be predicted as absolute. However, if one keeps in mind the broad trends on the horizon, one could potentially be more well equipped to deal with challenges concerning the new cyber world order. The New Cyber World Order will be increasingly important for all digital and cyber stakeholders, as it will impact all our digital presence, digital activities and digital lives. The legal, policy and regulatory issues pertaining to New Cyber World Order will have to be appropriately considered and addressed by cyber stakeholders as New Cyber World Order takes root in the coming times.

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Introduction

The admission of certain crisis of democratic institutes becomes a trend in the political science. The recent empiric study shows that parties become less important for the people [3, 11]. The researchers understand as a reason for that, in particular, the lack of democratic experience of the society [12] or insufficient democratic consolidation manifesting itself in the diffuse political support phenomenon [7]. Brazil, one of the largest electoral democracies in the world, behind only India, the United States and Russia, with 147 million voters out of a total of just over 207 million inhabitants, is also not an example of stability and effectiveness of democratic political system. Valuations of the current political situation in Brazil vary from ‘uncertain’ [10. P. 588] to ‘crisis-hit’ [8].

E. Mello & M. Spector made a convincing conclusion, through the example of Brazil, on paradoxical weakness of multiparty presidential systems with powerful presidents, as the legislative bodies created within such systems are strongly dependent on patronage and clientelism and weakly control the executive power. As a result, these systems are fertile ground for rent-seeking and corruption [9].

E.N. Maksimova relates the crisis of democratic system in Brazil with dysfunctional political administration which, in its turn, is caused by disability of the left and right political forces to create a general strategy for the country’s development in the face of ideological struggle between the president and parliamentary majority [8].

This paper presents a distinctive approach to the considerations of crisis of democratic institutes in Brazil. The contributors suggest that this analysis of political processes can represent scientific interest both due to the scale of the country and due to possible typical nature of those processes.

Study

The democratization processes of the last 50 years in various parts of the world have shown that the institutionalization of democracy is not a linear or one-dimensional phenomenon, nor does produce a single model of regime, and can combine different constitutional arrangements, such as the well-known classification of Lijphart [5] on the majority and consensual systems. These different arrangements affect the functioning of democracy, impacting the performance of institutions and influencing the State’s relations with society.

Brazil completed 30 years of post-authoritarian democratic experience in 2018. The elec-
es of democratically elected presidents in less than 25 years. In both cases, the presidents were charged for abuse of power, and even with the National Congress and the Federal Supreme Court acting under the law to process the charges, the results were traumatic, provoked conflicts between political parties and sectors of civil society, generated a chain of attitudes and behaviors of political disbelief, and raised doubts about the legitimacy of the regime, political intolerance and institutional instability.

The systemic nature of abuse of power practices, such as corruption and disrespect for the laws of fiscal control, indicate that the rule of law is not fully established in the country and that the system of checks and balances does not operate with the efficiency required by democracy. The scale of the corruption practices and their continuity over time are signs that the interinstitutional accountability system is malfunctioning. The 1988 Constitution guaranteed important advances for the formation and consolidation of an Integrity System - with the improvement of legislation to combat corruption, autonomy of control institutions and the combined action of the Federal Police, the Federal Public Prosecutor’s Office and the judicial system, allowing the so-called Operation Car Wash to reveal the existence, in recent decades, of a framework of actual capture of strategic spheres of the State by business sectors associated with leaders of political parties and bureaucrats of state-owned companies such as the oil company Petrobras.

This panorama had a profound influence on the results of the 2018 elections, since, in addition to signaling the severe rejection of the majority of voters to the political cycle initiated in the mid-1980s, it undermined the leading role of the main political parties responsible for democratization, such as the MDB, PT and PSDB, involved in the corruption crimes revealed by Operation Car Wash. The crisis of these parties opened space for the emergence of a personal-populist leadership that, apart from rejecting political pluralism, fed the moral opposition between the ‘pure people’ and the ‘corrupt elite’, presenting itself as an alternative to the ‘politically correct’, supposedly associated with the rights of minorities considered morally unacceptable and politically dangerous, including for their alleged support for parties involved in corruption.

This has added to long-standing imbalances in electoral mechanisms marked by inequalities in the voting process. Voting is the main instrument by which citizens exercise their sovereignty, guarantee human rights, choose rulers and defend their interests. This requires two conditions that differentiate democracy from its alternatives: first, it must provide the means by which citizens are guaranteed the rights that ensure their freedom and the principle of self-government; and, second, it must provide one of the most effective instruments of control of those who govern by those who are governed, that is, the vertical accountability. But this depends on how well the electoral system translates the aspirations of voters into the political system. If this condition is blocked, people become frustrated with politics, withdraw their trust from institutions and doubt democracy.

The Brazilian electoral system has fallings that compromise the function of representation. This involves distortions in the process of choosing representatives because it provides for different ceilings on seats for states in the Chamber of Deputies; the vote of voters in some states has more weight than in others, affecting equal representation. And, the proportional system of an open list of candidates - chosen in districts that can reach up to 35 million voters - makes it difficult to define voters in the face of the excessive number of candidates, stimulates the competition of candidates from the same party, and weakens the connection between represented and representatives, disqualifying the principle according to which citizens evaluate the performance of their representatives.

Such factors, along with permissive party legislation, make Brazil an extreme case of party fragmentation. Faced with an ineffective barrier clause, today 30 parties are represented in the House of Representatives and 21 in the Senate, and another 50 seek registration, without voters feeling more represented by them. The parties have little meaning in terms of disputes over different programs and political conceptions; their ‘effective number’ is 13, which aggravates the problems of governability and increases their irresponsibility [4]. Another distortion is the system of party coalitions in proportional elections, a mechanism that defrauds the will of the voter who, by voting for a candidate on the basis of his or her political-ideological position, can help the election of someone of a different position or diametrically opposed to his or her preference.

The fallings in the system of representation also refer to the inequality of political inclusion of different segments of the population, starting with women, whose representation in parliament is 13% while their percentage in the population is higher than 52%: indeed, the results of the 2018 elections showed that Brazil has the worst performance among South American
countries in this regard. A law from the 1990s ensures 30% of female candidates on the party lists, recognizing that women are under-represented. The representation of African descendants is 25%, double that of women, but is below the participation of these segments in the population, 55%. In 2018, an indigenous woman was elected to the Chamber of Deputies for the first time, but the presence of indigenous people is less than 0.2%. In short, the process of including different segments in the system of representation is still very unequal in the country.

These fallings are directly related to the model to finance electoral campaigns. The distribution of campaign funds - a clear factor of electoral success - has almost always been subordinated to the decision of the dominant oligarchies in the parties. The precarious internal democracy within the parties ensures the election of politicians linked to these oligarchies, whose dominance continues over time. In the case of women, their low representation in the Chamber of Deputies is due, among other factors, to the low rate of funding of their candidacies and the male resistance to their names being ratified by party conventions.

Another critical aspect refers to the asymmetries in relations between the Executive and the Legislative branches of government. The former concentrates many powers in its hands, such as the power to enact Provisional Measures that immediately change the status quo, and the exclusive prerogative to propose the federal budget and proposals for specific legislation; the parliament, for its part, has limits in its capacity to monitor, supervise and control the Executive. This derives from the logic of coalition presidentialism, despite the fact that the legitimacy of the executive and legislative branches have different sources; the formation of governing majorities through the sharing of spheres of power in the executive branch greatly limits the parliamentary function of supervision and control of because it establishes an uncritical loyalty among the coalitions of congressmen, and thus this function is not performed in cases where administrations fail to fulfil their duties or act against principles established in the Constitution; obviously, this jeopardizes the institutional accountability.

This set of observations does not question the existence of democracy in the country, but rather problematizes its qualities. Many democratic advances in recent decades have been inspired by the principles established in the 1988 Constitution, which consolidated a set of fundamental social and political rights and, at the same time, established the legal premises for the adoption of important universal social policies. In this sense, relevant economic changes adopted by social democratic parties and left-wing parties from the 1990s onwards improved the living conditions of poorer segments of the population, with the social issue acquiring great relevance in the first years of the current century. Even without changing the structure of income distribution, this has positively affected inequality rates and expectations of social mobility.

The adoption of these policies by progressive parties helps to explain the role of the politics of identity in the Brazilian case. Unlike the United States and some European countries, Brazil has not seen a mobilization in favor of identity policies of the same magnitude as these countries. But feminist movements, the defense of the rights of Afro-descendants and the LGBT community are very active and, even if they cause some fragmentation within the democratic forces, together with other social movements, they permanently pressure the political system to expand and consolidate both universal and specific rights. In this sense, they played an extremely important role before and during the 1987/88 Constituent Assembly, presenting proposals and pressing constituents in favor of embracing very inclusive principles, which led to the adoption of significant universal public policies, as well as some specific ones. In general, this pressure challenged the parties of the whole political-ideological spectrum in the sense of the enlargement of citizenship, aiming at integrating the action from inside and outside these parties.

Some examples contextualize the singularities of the Brazilian case. The first one refers to article 5 of the federal Constitution that, when establishing fundamental rights, advances in the explicitness of the equality between men and women, and in the case of the Afro-descendants it treats the practice of racism as a non-bailable crime, with no statute of limitations. Based on these principles, in 2010 the National Congress approved the Statute of Racial Equality, as proposed by a left-wing parliamentarian; in subsequent years, this was the starting point for the establishment of a quota policy for the access of black people to Brazilian universities and, later, for indigenous people and poor students of public schools; now the quotas also apply to governmental positions. Articles 68 of the transitional provisions of the Constitution and 215 of the main text are also important: the first ensured the right of ownership of land occupied by descendants of slaves and the second guaranteed the preservation and enjoyment of
the material and immaterial cultural heritage of black and indigenous people and popular sectors. Also based on article 5, the Supreme Court recently recognized the right of same-sex unions and made the crimes associated with homophobia non bailable and not subject to statute of limitations.

In the case of women, other advances have occurred since the years 2000, with the creation of governmental agencies as the specialized police stations to report all-treatments and crimes of violence, and the Conferences in charge of defining public politics, both initiatives of progressive parties. For the recognition and combat of violence against women, in addition to the systems to report acts of threat and aggression, the Maria da Penha Law was sanctioned in 2006, the criminal classification of rape in 2009, and the definition of femicide in 2015, covering different types of sexual crimes. These advances are confirmed by the care provided to women victims of sexual, physical or psychological violence by the Unified Health System, which registers more than 147,000 cases per year, i.e., 405 per day or one every four minutes. Deaths of women resulting from male aggression between 1980 and 2013 rose more than 100%, from 2.3 to 4.8 per 100,000. In 2016, the justice system registered more than 1 million cases of domestic violence against women, that is, 1 case for every 100 Brazilian women. These are very serious situations that, however, are covered by laws and procedures of solidarity and defense, which, in their turn require the State to be effective in their application.

As for the political participation of women, the Brazilian legislation foresees since 1997 that each party must fill, in the proportional elections, a minimum of 30% and a maximum of 70% of candidatures of each sex, and in 2018 the Federal Supreme Court recognized the right of access of the female candidatures to the resources of the Special Fund of Financing of Electoral Campaign: it must also be of at least 30%. This has facilitated the increase of participation and the channeling of many female demands through the parties, but, following the example of the position of the movements of Afro-descendants and the LGBT community, many feminist leaders consider this insufficient and maintain that the mobilization should occur independently of the parties and directly pressure the structures of the State. The feminists’ argument is that the presence of women in institutional politics was not enough to guarantee the incorporation of specific guidelines of female interest, such as the decriminalization of abortion, facing inequalities related to the sexual division of labor, unequal remuneration and others. This reinforces the fragmentation of democratic forces without amounting to an alternative to the crisis of representative democracy, but it is a reaction to the ineffectiveness of democratic politics.

The virtuous cycle represented by the post-authoritarian democratic achievements was interrupted in the second decade of the 21st century with the adoption by the left-wing government of a set of economic policies that produced recession, loss of income and an unemployment rate that exceeded 13 million. Moreover, the revelations of the extent and volume of corruption practices have completely discredited the leaders of the traditional elites. And the extreme worsening of criminality and public security problems - which record the murder of more than 60,000 people a year as a result of violent crimes, and with the police being recognized as one of the most violent in the world, responsible for the deaths of more than 5,000 people every year, the majority of whom are young blacks, between the ages of 16 and 26, has dangerously deteriorated the country’s political environment.

It was in this troubled context that, after a serious attack that put his life at risk, Jair Bolsonaro saw an increased opportunity to assert him as a populist leader. Supported mainly by men from the richest regions of the country, especially in the 45-64 age bracket and with high levels of education, he adopted a crude and coarse rhetoric and occupied the political vacuum left by the forces of the left and the moderate center. He presented himself as a champion of the repression of crime and a radical fighter against corruption, and, like right-wing populist leaders from other countries, he explored the contrast between the supposed traditional moral values of the family and the evangelicals and the customs seen as immoral in the LGBT community and some other minorities. In addition to defending the military dictatorship and torture, Bolsonaro took to its ultimate consequences the use of social networks and fake news to publicize his criticisms of the equal rights of women, of Afro-descendants living on the lands of their ancestors, and of indigenous people to whom the National Congress and the Federal Supreme Court recognized the right to occupy territorial reserves that had belonged to them since time immemorial. Bolsonaro attacks his opponents with low language, protests against the forces of political pluralism and contests not only the evidence of global warming, but also the scientific data that account for the enormous growth of deforestation in the Amazon. His government,
in this context, proved to be a strategic actor against the politics of identity.

In view of these circumstances, it is necessary to recognize that the advance of universal and specific rights defended by women, Afro-descendants and other minorities took place within the framework of representative democracy, even with its fallings and distortions. Some of the most important achievements derived directly from the principles established in the 1988 Constitution, but others resulted from the articulation and pressure of identity movements on political parties, the parliament and the judiciary, in an action to vitalize representative democracy by expanding and affirming the concept of citizenship. It is against this legacy that Jair Bolsonaro's administration rose up. Its strategy, following the example of what Donald Trump also does, aims to disqualify these movements and, at the same time, push back the historical achievements that have advanced the rights of citizenship. In this sense, as the American political scientist Mark Lilla has pointed out, the role of democratic forces and, especially, of opposition parties to antidemocratic governments must be focused on equality and solidarity [6]. It is in this sense that the fragmentation of identity policies can find a limit and, at the same time, offer an alternative to the crisis of representative democracy.

Conclusions
In general the principles of participation and competitiveness which determine democracy and sufficiently guaranteed in Brazil. The existing institutional structure enables successful coordination of the governmental powers of different political accents but democracy in Brazil is not completely consolidated, political regime has important distortions and, as a consequence, is not stable.

Under the conditions of separation of powers relationship between executive, legislative and judicial powers often take form of a conflict with traumatic results.

A number of corruption scandals allows to make a conclusion that abuse of power becomes regular, and interagency controlling system is inefficient.

The above said circumstances damaged the principal political parties’ credibility. The direct result for that was the installation through vote of a personalistic and populist leadership actively stoking moral standoff between the ‘pure people’ and the ‘corrupt elite’.

Jair Bolsonaro, using rough words, presented himself as a radical fighter against crime in general and against corruption in particular, a defender of traditional moral values, sharply criticized equal rights for women, Afro-descendants and indigenous people, protested against political pluralism forces, as well as against the evidence of global warming, excessive deforestation in the Amazon, etc. earning political points from reactionary-minded electorate.

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ИСКАЖЕНИЯ ПОЛИТИЧЕСКОГО РЕЖИМА КАК ФАКТОР ОТСТУПЛЕНИЯ ДЕМОКРАТИИ В БРАЗИЛИИ

Введение. В статье представлен анализ изменений в политическом ландшафте Бразилии в последние годы. Являясь одной из крупнейших демократий мира, Бразилия может, в определенном смысле, являться показательным примером того, что институционализация демократии не является линейным или одномерным явлением.

Материалы и методы. Основным методом данного исследования является институциональный метод, ориентированный на изучение взаимодействия политических институтов: президентской власти, парламента, политических партий и иных общественных организаций. С помощью исторического метода выполнено обобщение событий в развитии политической системы Бразилии. Анализ материалов статистических наблюдений позволил выявить социальные процессы, послужившие причинами или основаниями тех или иных политических процессов и явлений.

Результаты исследования. В результате проведенного анализа выявлено, что сложившаяся институциональная структура обеспечивает необходимые условия для успешной координации сил правительства различных политических оттенков, но демократия в Бразилии не полностью консолидирована, политический режим имеет значительные искажения, и, как следствие, является нестабильным.

Ряд крупных коррупционных скандалов позволяет сделать вывод о том, что практика злоупотребления властью имеет системный характер, и межведомственная система контроля работает непрофicientно.

Обсуждение и заключение. Указанные обстоятельства подорвали доверие к основным политическим партиям. Прямым результатом оказался приход на выборах к власти персоналистского популистского руководства, активно подогревавшего моральное противостояние между “чистым народом” и “коррумпированной элитой”.

Джайр Больсонаро, используя грубую риторику, представил себя радикальным борцом с преступностью вообще и с коррупцией в частности, защитником традиционных моральных ценностей, подверг резкой критике предоставление равных прав женщинам, афро-потомкам и коренным народам, протестовал против сил политического плюрализма, а также против признания факта глобального потепления, чрезмерной вырубки лесов в бассейне Амазонки и т. п., зарабатывая политические очки среди реакционно настроенной части избирателей.

Жозе Алвару Мойзес, профессор политологии факультета философии, литературы и гуманитарных наук Университета Сан-Пауло, руководитель Центра исследований общественной политики Университета Сан-Пауло, член Исполнительного комитета Международной ассоциации политических наук.

Ключевые слова: политическая система, Бразилия, поставторитарный демократический опыт, кризис, импичмент, популизм, искажения системы партийного представительства, Больсонаро

Keywords: political system, Brazil, post-authoritarian democratic experience, crisis, impeachment, populism, party representation system distortion, Bolsonaro
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