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Research Article

From the Vault to the Bench: Extending the Theory of Institutionalized Illegality to Judicial Sanctions and Criminal Governance in Brazil (2025-2026)

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Abstract

This article extends the Theory of Institutionalized Illegality, originally developed by the author through a closed-corpus discourse analysis of the Banco Master financial collapse, to two domains outside the financial-accountability regime in which the theory was first formulated: the sanctioning and subsequent desanctioning of Justice Alexandre de Moraes by the United States government under the Global Magnitsky Act (July-December 2025), and the designation of the Primeiro Comando da Capital (PCC) and the Comando Vermelho (CV) as Foreign Terrorist Organizations by the United States Department of State, effective 5 June 2026. The theory holds that modern legal systems can normalize illegality not through the suspension of law but through its proceduralization: accountability is displaced into timelines and competence boundaries, public intelligibility is stabilized through the individualization of blame, structural context is restricted through institutional silence, and regulatory architectures absorb crises while limiting systemic imputability. Using a comparative qualitative design across the two new cases, a complementary bureaucratic case (pension fraud and digital money laundering), and the original financial anchor case, this article tests the theory's own transferability claim. The results show that procedural displacement and regulatory accommodation recur across domains as different as banking resolution, international human-rights sanctions, and terrorist-organization designation, while narrative individualization and the zero-accomplice horizon weaken sharply once the object of accountability is an organization rather than an individual, and context restriction proves specific to institutions bearing a standing public duty of explanation. The discussion situates these findings within the comparative literature on state capture, lawfare, and democratic backsliding, and mobilizes a deliberately interdisciplinary apparatus, ranging from Agamben's genealogy of the exception and Voegelin's account of gnostic political religion to Koestler's literary study of confession under ideological pressure, Huxley's dramatization of institutional truth-suppression through comfort rather than censorship, and Taleb's analysis of asymmetric risk, to argue that proceduralized illegality is best understood as a general grammar of contemporary governance rather than a sector-specific anomaly. The article concludes that the theory survives its first cross-domain test, while identifying precisely where its mechanisms require reformulation outside the financial sector.

Keywords

Institutionalized Illegality, Proceduralized Illegality, State Capture, Lawfare, Criminal Governance, Narrative Governance, Supreme Federal Court, Magnitsky Sanctions

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1. Introduction

In the trial of Orestes as staged in Aeschylus's *Eumenides*, the vote is tied. Athena breaks the tie in favor of the defendant, and, as José Roberto de Castro Neves observes in his study of law's origins in Greek tragedy, something more than an acquittal occurs: "the justice of vengeance is replaced by benevolence. The retribution of evil is succeeded by a new order… the new law ignores the family curse, disregards the Law of Talion" [1]. The scene is usually read, correctly, as the mythic birth of public accountability: the substitution of an impersonal, procedural forum for the private, potentially endless cycle of blood vengeance. Institutions of law exist, in this founding sense, to make responsibility finite, sayable, and closed.

This article is about a system in which that same apparatus, procedure, competence, sequence, sanction, produces the opposite effect: not the closure of responsibility, but its indefinite deferral. In *Theory of Proceduralized Illegality: Narrative Governance and Accountability Deferral in Brazilian Financial Accountability Regimes*, published in this journal's sister publication earlier this year, the author proposed a legal-institutional model, the Theory of Institutionalized Illegality, to describe how the Banco Master collapse (extrajudicial liquidation, November 2025) exemplified a durable Brazilian pattern in which "unlawful or socially harmful outcomes are managed through lawful mechanisms that remain institutionally legible and formally correct" [2]. That article specified five mechanisms, procedural displacement, narrative individualization, context restriction, regulatory accommodation, and what it named the zero-accomplice horizon, and three types of governance, procedural shielding, selective legality, and institutional absorption, through which illegality becomes, in the theory's own vocabulary, "governable" rather than merely tolerated [2].

The original article made an explicit, and testable, claim about its own reach: "the Theory of Institutionalized Illegality is designed as a transferable analytical framework. Its transferability does not depend on Brazilian exceptionalism; it depends on identifying the combination of mechanisms… in other jurisdictions" [2]. It did not, however, test that claim outside the financial sector, and its closed-corpus design explicitly excluded materials beyond the Banco Master and Americanas cases and the author's 1889-2026 historical dataset on Brazilian financial scandals [2].

This article takes up that unfinished task, but displaces it along a different axis than the one the original theory anticipated. Rather than moving to another jurisdiction, it moves to two other domains within the same jurisdiction and the same eighteen-month window: the sanctioning, under the United States' Global Magnitsky Act, of a sitting Justice of Brazil's Supreme Federal Court (STF), followed five months later by the reversal of that sanction; and the designation, by the same foreign government, of Brazil's two largest criminal factions as Foreign Terrorist Organizations. Neither case involves a bank. Both involve exactly the phenomenon the original theory was built to name: legal and administrative form doing the work that substantive accountability is supposed to do.

The research problem can be stated directly. Does a theory built from the discursive patterns of a banking collapse, patterns of moral indignation directed at individuals, of institutional silence about prior entanglements, and of procedural displacement into timelines and competences, actually recur when the domain changes from prudential financial regulation to international human-rights sanctions and counterterrorism designation? Answering this matters for reasons beyond theory-testing for its own sake. If the mechanisms recur, then what looked, in the original article, like an artifact of Brazilian banking regulation is in fact a general grammar available to very different institutional actors, including a foreign government exercising extraterritorial jurisdiction. If the mechanisms do not recur, or recur only partially, the theory's own falsifiability conditions become empirically informative: the original article specified that it would be "challenged if the empirical material consistently displayed… sustained attribution of responsibility at systemic and organizational levels rather than narrative individualization… or timely substantive accountability outcomes not displaced into procedural temporality" [2]. This article treats that specification as a genuine test, not a rhetorical formality.

The remainder of the article proceeds as follows. Section 2 specifies the comparative design and the closed-corpus rules governing the two new cases, distinct from and later than the corpus closed in the original study [2]. Section 3 presents results in seven parts: a summary of the theory's apparatus as established in the anchor study; the Magnitsky case; the terrorist-designation case; a comparative synthesis across all three cases; a complementary vector drawn from pension fraud and digital money laundering; a discursive-cultural register that draws on literature and political philosophy to interpret why these mechanisms are publicly legible and durable rather than merely convenient; and a structural counterpoint in penal selectivity. Section 4 discusses the theoretical implications, situates the argument within the comparative literature on state capture, lawfare, and democratic backsliding, and states the study's limitations. Section 5 concludes.

2. Materials and Methods

2.1. Research Design

This is a qualitative multiple case study with a theory-testing (extension) design [3]. The unit of analysis is the institutional-discursive episode: a bounded sequence of official acts and institutional communications surrounding a single accountability event. Three episodes are analyzed: (a) the sanc-

tioning and desanctioning of Justice Alexandre de Moraes under the Global Magnitsky framework (July-December 2025); (b) the designation of the PCC and the CV as terrorist organizations (May-June 2026); and (c), as a complementary bureaucratic episode, the INSS payroll-deduction fraud and its judicially homologated settlement (2019-2025). The two principal cases were selected on a most-different logic within a single jurisdiction: one targets an individual judicial officer through an individualized foreign sanction; the other targets decentralized non-state organizations through a categorical designation. This maximizes variation on the dimension the theory itself treats as critical, the nature of the object of accountability, while holding the country, the period, and the international counterpart constant. The anchor case (Banco Master) is held fixed as reported in the founding study [2] and is not re-analyzed here.

2.2. Materials

Three documentary corpora were assembled, one per episode; every document is individually cited, with public URL and access date where applicable, in Section 3 and the reference list. Corpus A (Magnitsky episode) comprises seven core documents: the two State Department designation notices of 31 July and 22 September 2025, Executive Order 14323 of 30 July 2025, the December 2025 delisting record, and three scholarly analyses of the underlying judicial controversy (all cited in Section 3.2). Corpus B (terrorist-designation episode) comprises ten core documents: the designation notices published by the State Department and the U.S. Embassy in Brazil, four compliance advisories issued by law firms and the specialized legal press between May and June 2026, and four items of criminological scholarship and policy research on the designated organizations (all cited in Section 3.3). Corpus C (INSS episode) comprises the settlement record homologated by the Supreme Federal Court on 3 July 2025 and registry-grade investigative reporting (cited in Section 3.5). A fourth, interpretive corpus of political philosophy and literature is used exclusively for theory interpretation in Sections 3.6 and 5, never as empirical evidence.

2.3. Coding Procedure

The theory's five mechanisms (procedural displacement; narrative individualization; context restriction; regulatory accommodation; zero-accomplice horizon) and three types (procedural shielding; selective legality; institutional absorption) were used as a fixed a priori codebook, taken verbatim from the founding study [2]. Each document in Corpora A-C was read in full and coded at the level of the institutional act or communication, not the individual actor. For each mechanism in each episode, one of three values was assigned: present (a documented act matches the anchor definition without modification); transformed (a documented act performs the same institutional function through an altered form, recorded with an analytic memo specifying the alteration); or absent (no matching act after a complete pass through the corpus). Episode-level results were then consolidated in a case-by-mechanism matrix display (Table 1, Section 3.4), following standard qualitative data-analysis technique [4].

2.4. Source Hierarchy and Verification

Sources were ranked in three reliability tiers: (a) peer-reviewed or academic-press scholarship; (b) primary institutional sources (the U.S. Department of State, the Office of Foreign Assets Control, the White House, the U.S. Embassy in Brazil, the Brazilian Supreme Federal Court, the Advocacia-Geral da Uni ão, and the Federal Police); and (c) registry-grade national and international press, admitted only where corroborated by a Tier-(b) source or by Tier-(a) scholarship. Every quantitative or dated claim concerning 2025-2026 was verified against at least one Tier-(b) primary institutional source. Openly partisan or opinion-driven outlets were excluded as factual evidence; where such material appears in the surrounding public debate, it is treated strictly as an object of discourse, following the analytical posture of the anchor study [2].

2.5. Corpus Closure and Selection Criteria

Corpora A, B, and C were closed on 7 July 2026; the financial anchor corpus had been closed on 27 January 2026 in the founding study [2], so the new corpora are disjoint from it in domain and largely in time. Eligible documents were dated 2015-2026, written in Portuguese, English, or Spanish, and of peer-reviewed, academic-press, or institutionally accountable origin; unverified social-media material and blog content were excluded. Classic works of political philosophy and literature cited in Sections 3.6 and 5 fall outside this evidentiary window by design: they enter the analysis as interpretive apparatus, not as data.

2.6. Ethical Constraints and Limitations

References to named public officials are restricted to facts documented in official, judicial, or registry-grade journalistic sources; third parties not formally investigated were excluded from the factual analysis. Coding was performed by a single author, so no intercoder reliability statistic is available; this limitation is mitigated by the fixed, publicly available codebook [2] and by an audit trail composed entirely of publicly accessible documents. Finally, two of the three episodes involve the same apex court within overlapping periods; this is a limitation of scope, not a concealed artifact, and it is addressed directly in Section 4.

3. Results

3.1. The Theory of Institutionalized Illegality: Apparatus Inherited from the Anchor Study

The anchor study defines institutionalized illegality as "a structural configuration in which unlawful or socially harmful outcomes are managed through lawful mechanisms that remain institutionally legible and formally correct. The defining property is not the 'absence' of law, but the conversion of accountability into a procedural horizon" [2]. Five mechanisms operationalize this definition: (I) procedural displacement, in which accountability is translated into timelines, competence boundaries, and formal sequencing; (II) narrative individualization, in which public intelligibility is stabilized through moral indignation directed at identifiable persons; (III) context restriction, or strategic silence, in which institutional communication narrows the field of discussable causality by omitting prior connections; (IV) regulatory accommodation, in which resolution and guarantee architectures stabilize continuity under informational asymmetry; and (V) the zero-accomplice horizon, "a discursive closure effect through which accountability expectations are publicly exhausted at the level of a limited set of identifiable individuals" [2]. Three types classify how these mechanisms combine: procedural shielding, selective legality, and institutional absorption [2].

Theoretically, the anchor study draws on Schmitt's and Agamben's account of the exception not as rupture but as administrative routine, on Arendt's and Voegelin's accounts of institutional normalization, and on Faoro's and Holanda's account of Brazilian patrimonialism as a durable morphology of state-market coupling [2]. Agamben's own formulation, that the exception "is not a special kind of law… but, since it is a suspension of the juridical order itself, it defines law's threshold or limit concept" [5], supplies the anchor study's central intuition: legality is not absent from institutionalized illegality; it is what makes it operable. Where Agamben's paradigm case is the state of siege, the anchor study's case is a bank resolution; the present article asks whether the same grammar operates when the case is neither.

3.2. Case Extension I: The Magnitsky Sanction and Desanction of Justice Alexandre de Moraes

In July 2025, the United States Department of State designated Justice Alexandre de Moraes of Brazil's Supreme Federal Court under the Global Magnitsky Act, citing "authorization of arbitrary pretrial detentions and suppression of freedom of expression" in his conduct of proceedings against former president Jair Bolsonaro [6]. In September 2025 the sanction was extended to Moraes's wife, Viviane Barci de Moraes, and to the Instituto Lex, an entity linked to the family [7]. On 30 July 2025 the President of the United States had already issued Executive Order 14323, imposing an additional 40 percent tariff on Brazilian goods, justified by reference to the Bolsonaro prosecution, "recent judicial developments affecting social media regulation in Brazil," alleged unfair trade practices, and Brazil's alignment with BRICS policy [8]. Twelve days earlier, the United States Trade Representative had opened a Section 301 investigation into Brazilian digital-trade practices. On 12 December 2025, days after a telephone call between Presidents Trump and Lula, the United States government removed Moraes, his wife, and the Institute from the sanctions list [9].

Mapped against the theory's five mechanisms, this case behaves in a genuinely informative way: some mechanisms recur in inverted or externalized form, one does not recur at all in its financial-domain shape, and one recurs in a form the original theory did not anticipate.

Narrative individualization recurs, but relocated to the level of the sanctioning act itself rather than to public commentary about it. Where the Banco Master case individualized blame onto a single banker while systemic and supervisory questions receded into the background [2], the Magnitsky sanction individualized an entire domestic judicial-institutional controversy, encompassing the Fake News Inquiry, the ADPF 572 proceedings, and the broader debate over lawfare mapped by Gabardo and Salgado [10] and, in more recent constitutional scholarship, by Salomão Leite's account of the court's oscillation between passiveness, activism, and constitutional bullying [11], onto a single named minister. A foreign government performed, at the level of international sanctions law, the same discursive operation the anchor study identified in domestic financial-crisis coverage: complex, distributed institutional processes were compressed into a story about one person's individual conduct. Enio Viterbo's own analysis of Moraes's jurisprudential strategies, published in the *Revista Jurídica* of Unicuritiba, describes "disproportionate and practically non-appealable fines" functioning "as an instrument of intimidation" [12]; whatever the merits of that domestic critique, the Magnitsky sanction translated it into the register of individualized international punishment rather than institutional reform.

Procedural displacement recurs but is inverted in direction. In the financial-domain formulation, displacement moves accountability *away* from immediate resolution and *into* competence-bound sequencing [2]. In the Magnitsky case, the sanction was imposed with no comparable domestic due-process sequencing at all, an executive designation under a statute expressly designed for extrajudicial speed, a structural feature documented in the Congressional Research Service's assessment of the Global Magnitsky framework's scope and implementation [13], and it was lifted with the same absence of formal sequencing: not through any adjudicated finding that the original allegations were mistaken, but "after a weekend phone conversation between President Donald Trump and President Lula" [9]. The procedural form here is not deferral

but bypass; accountability was never placed on a competence-bound timeline because the relevant instrument, executive power under the Magnitsky framework, does not require one. This suggests a boundary condition for the theory: procedural displacement, as originally specified, presupposes an accountability process that already exists and can be lengthened. Where the underlying instrument is a unilateral executive designation, the analogous mechanism is not displacement but discretionary bypass, a variant the anchor study's financial-sector formulation does not name.

Context restriction does not recur in its original form. The Brazilian institutional silence pattern identified in the anchor study, official communications limited to "denial, procedural clarification, or formal assertions of regularity" [2], has a rough American analogue in the sparse, formulaic language of the State Department's press releases [6, 7, 9], but the more consequential silence in this case is diplomatic rather than institutional: neither the imposition nor the removal of the sanction was accompanied by a public reconciliation of the two, incompatible factual claims (grave human-rights abuse in July 2025; no obstacle to normal relations in December 2025) at stake. The zero-accomplice horizon and context restriction, treated as complementary mechanisms in the financial-domain theory, appear to decouple here: there is no need to restrict context if the underlying decision was never grounded in a contestable evidentiary record to begin with.

Regulatory accommodation and the *zero-accomplice horizon* recur together, and in a strikingly literal form. The theory holds that regulatory accommodation "can stabilize continuity through intervention and resolution mechanisms without producing systemic accountability" [2]. Here, the mechanism operated at the level of interstate relations rather than banking regulation: the tariff and sanction regime was framed, at its inception, as a response to systemic concerns (judicial overreach, digital sovereignty, trade practice) [8], and its resolution, months later, restored continuity without any of those systemic concerns being adjudicated, only a change in the diplomatic weather. The zero-accomplice horizon closed at the narrowest possible point: three named parties, added and removed as a bloc, with the underlying institutional dispute about the STF's use of monocratic power [10, 12] left exactly where it started.

3.3. Case Extension II: The Terrorist Designation of the PCC and the Comando Vermelho

On 28 May 2026 the United States Department of State designated the Primeiro Comando da Capital (PCC) and the Comando Vermelho (CV) as Specially Designated Global Terrorists, with immediate effect, and announced their designation as Foreign Terrorist Organizations, effective 5 June 2026 [14, 15]. The designation activates asset-blocking authority under U.S. jurisdiction and criminalizes, under 18 U.S.C. § 2339B, the provision of "material support" to either organization, raising the compliance stakes sharply for any Brazilian or foreign firm with tangential exposure to factional financial networks, a fact registered immediately by Brazilian and international compliance counsel as a shift in the "screening and diligence" obligations of firms operating in or with Brazil, with converging alerts from ConJur, Hogan Lovells, Trench Rossi Watanabe, and Tauil & Chequer Advogados underscoring heightened exposure for supply chains, third-party relationships, and beneficial-ownership structures bearing any U.S. nexus [16-19].

This case tests the theory against an object it was never designed to describe: not an individual official or a financial institution, but a non-state armed actor. The results are mixed in an analytically productive way.

Procedural displacement recurs clearly, and in a form closer to the original financial-domain specification than the Magnitsky case supplied. The designation reclassifies, by unilateral foreign act, a phenomenon that Brazilian criminological scholarship had already described for a decade as parallel, bureaucratic-rational governance: Lessing and Willis's account of the PCC's internal legitimacy architecture, its "strict collectivist norms, internal justice procedures perceived as equitable by its members, and a meticulous record of infractions" functioning as a parallel disciplinary ledger [20], and the Brookings Institution's account of the PCC's transnationalization into a genuinely international criminal network [21], both predate the 2026 designation by years. Lessing's subsequent conceptual work formalizes this as criminal governance in the strict sense, an ongoing rule-setting relationship between armed organizations and civilian populations [22], and Feltran's ethnography of São Paulo documents how that normative order became entangled with the city's ordinary social fabric over two decades [23]. Field journalism corroborates this diagnosis with a longer institutional memory than either source supplies: as early as the mid-2000s, when the PCC's capacity to threaten the personal security of judges and government secretaries in São Paulo forced the state to develop what one investigative account calls "an emergency plan" to review the security of public officials, the organization's reach into the machinery of the state was already an operational fact, not a discovery made in 2026 [24]. The same reporting traces the subsequent proliferation of regional and prison-based offshoots, a Comando Vermelho Nordeste, a PCC-Interior, a Comando Revolucionário Brasileiro da Criminalidade, documenting an organizational fragmentation and territorial multiplication that a single terrorist designation, covering only two names, necessarily compresses. The gap between sociological diagnosis and formal legal recognition, criminal organization to foreign terrorist organization, is itself a procedural displacement: not of accountability for a specific act, but of legal recognition for an already-documented reality. As the author put it elsewhere, describing this same organizational morphology, the PCC's trajectory runs "from the periphery to governance," in which the faction becomes "a functional substitute

for the state" [25].

Regulatory accommodation recurs as the case's dominant mechanism, in the specific form the theory calls Type II, selective legality: the designation intensifies legal exposure sharply for one domain, corporate compliance, while leaving domestic criminal prosecution of factional leadership governed by the same dispersed competences and slow procedural sequencing that predate the designation. Compliance counsel across Brazil moved immediately to reclassify screening obligations [16-19]; no comparable acceleration is documented, within this article's corpus, in the domestic judicial architecture responsible for prosecuting factional leadership itself.

Narrative individualization does not recur in its financial-domain or Magnitsky-case form, and this absence is itself theoretically informative. There is no single "PCC banker" or "PCC minister" onto whom public indignation converges; the designation targets an organization, and the discursive grammar around it operates instead through occasional, partial personification of a named leadership figure, while the underlying accountability structure remains genuinely distributed across a membership the sociological literature already describes in the tens of thousands, a structure the theory's individualization mechanism, built for scandals with a namable protagonist, is not equipped to compress. This is the clearest boundary condition identified in this study: narrative individualization appears to require an object, an individual or a small definable group, that a decentralized criminal organization does not straightforwardly supply.

Context restriction and the zero-accomplice horizon are not clearly present in the designation itself, though both may appear, displaced, in the surrounding Brazilian political debate over the designation's implications, an area this article's corpus deliberately does not reconstruct in evidentiary terms, consistent with the exclusion, described in Section 2, of non-registry-grade sources.

3.4. Comparative Synthesis Across Three Cases

Table 1 summarizes the presence, absence, or transformation of each mechanism across the anchor case and the two extensions.

Table 1. *Mechanisms of institutionalized illegality across three cases.*

Mechanism	Banco Master (financial, anchor study [2])	Moraes/Magnitsky (judicial-diplomatic)	PCC/CV designation (transnational criminal)
Procedural displacement	Present, classical form (suspicion, recusal, sequential reassignment of rapporteurship)	Present, inverted form (discretionary bypass rather than lengthened process)	Present, as legal catch-up to prior sociological diagnosis
Narrative individualization	Present, dominant	Present, relocated to the sanctioning act itself	Largely absent; no clear individual object
Context restriction (strategic silence)	Present	Weak; replaced by unreconciled diplomatic contradiction	Not clearly present in the designation itself
Regulatory accommodation	Present	Present, at interstate level	Present, dominant (Type II, selective legality)
Zero-accomplice horizon	Present	Present, narrowly (three named parties)	Not clearly present

Two of five mechanisms, procedural displacement and regulatory accommodation, recur across all three domains in every case examined, though both change shape substantially outside the financial sector. Narrative individualization and the zero-accomplice horizon depend on the availability of a namable individual object and weaken or disappear when the accountability target is an organization rather than a person. Context restriction is the mechanism least well supported outside the financial domain in this corpus, suggesting that strategic silence may be a discourse strategy specific to institutions, like a central bank or a court, that owe the public an explanation in the first place; a foreign sanctioning authority or a criminal organization is under no comparable expectation of transparency, and therefore has less silence to strategically perform.

3.5. A Complementary Vector: Pension Fraud and the Scapegoat Mechanism in Ordinary Bureaucracy

The two case extensions in Sections 3.2 and 3.3 involve elite institutional actors, a Supreme Court justice and a foreign government, on one side, and transnational criminal organizations on the other. It is worth asking whether the same gram-

mar recurs in a third, humbler register: the routine administrative bureaucracy that Faoro's and Holanda's patrimonialism thesis identifies as the connective tissue between the two [2]. The Operação Sem Desconto fraud against beneficiaries of the Instituto Nacional do Seguro Social (INSS), in which unauthorized associative discounts diverted an estimated R$ 6.3 billion from retirees and pensioners between 2019 and 2024, supplies exactly this register [26]. The scheme was uncovered by the Federal Police and the Comptroller General of the Union; an interinstitutional settlement, homologated by the Supreme Federal Court on 3 July 2025, provided for reimbursement adjusted by inflation, with the first payment batch, beginning 24 July 2025, reaching 1.5 million beneficiaries [27].

The case's procedural handling is unremarkable by the standards of Sections 3.1-3.3: a preventive detention of the Ministry of Social Security's executive secretary was widely reported as the scandal's personal resolution, precisely the narrative-individualization mechanism, while the underlying condition that made the fraud possible, five years of unaudited, politically appointed associative-discount arrangements, remained institutionally unaltered. René Girard's account of the scapegoat mechanism supplies the sharpest available vocabulary for this specific operation: a community in crisis "will always want a first cause susceptible to corrective intervention… a cause pertinent at the level of social relations" [28], an individual who can be processed, rather than an acknowledgment that the fraud was enabled by the ordinary architecture of political appointment itself. Girard's more general formulation, that "to say the scapegoat is taken as the sole cause of the calamity is to say that the calamity literally becomes its own thing" [28], describes precisely how a multibillion-real structural failure becomes, in public discourse, the personal failure of one detained official.

A parallel digital vector reinforces the same pattern at a larger scale. Operação Fluxo Oculto identified unregulated fintechs functioning as financial conduits for organized crime, moving roughly R$ 26 billion; the regulatory response, new Central Bank rules equating payment institutions' obligations with those of traditional banks, arrived only at the end of 2025, after the identified volume had already circulated. This is regulatory accommodation in its plainest form: continuity preserved, systemic imputability limited, and the compliance burden displaced forward onto the next reporting cycle rather than backward onto the institutions that failed to detect the flow in the first place.

3.6. Narrative Governance as Cultural Grammar: A Discursive-Interpretive Register

The mechanisms described above do not operate in a cultural vacuum, and the anchor study's own theoretical apparatus, Arendt on the banality of institutional harm, Voegelin on the deformation of order, already gestures toward a register broader than legal doctrine [2]. This section develops that register directly, because the density of the phenomenon under study, illegality that is publicly intelligible, procedurally correct, and structurally repeated, is better captured by juxtaposing legal-institutional analysis with literature and political philosophy than by legal analysis alone.

Eric Voegelin's diagnosis of modern political gnosticism supplies a vocabulary for the redemptive register in which both the Fake News Inquiry and the Magnitsky sanction were publicly framed, in opposite directions, as the defense of democracy against an identifiable enemy. Voegelin's account of gnostic modernity holds that the attempt to overcome the uncertainties of the human condition "by building a terrestrial paradise" exacts a price even from its well-intentioned proponents: "the death of the spirit is the price of progress" [29]. Read against the present cases, this is not a claim about any individual actor's sincerity; it is a claim about the discursive form available to institutions once they frame procedural conflict as civilizational rescue. A Supreme Court that speaks of defending democracy and a foreign government that speaks of defending human rights are, in Voegelin's terms, both operating the same gnostic grammar, and both grammars are compatible, as this article's results show, with accountability that is never actually closed.

Arthur Koestler's *Darkness at Noon*, read here in its Portuguese translation as *O Zero e o Infinito*, opens with an epigraph from Saint-Just, "no one can govern without guilt" [30], and its central image, the prisoner Rubashov's discovery of what he calls the "grammatical fiction" of the first person singular, the Party's structural discomfort with individual conscience as opposed to collective necessity [30], supplies an instructive mirror image for the mechanisms described in Section 3.1. Where Koestler's totalitarian apparatus dissolves the individual into an abstraction to escape the burden of personal doubt, the institutionalized-illegality mechanism of narrative individualization performs the inverse operation: it manufactures an individual, a banker, a minister, an executive secretary, out of what is in fact a distributed institutional failure, precisely in order to make the failure narratively closable. Both operations share a structural function despite their opposite direction: each makes an intolerable diffusion of responsibility bearable by relocating it, one into the abstract "we," the other into a singular "he."

Neil Postman's argument that public discourse can be reorganized around the epistemology of entertainment, such that "our politics, religion, news, athletics, education and commerce have been transformed into congenial adjuncts of show business" [31], and his sharper claim that a medium "is at its most trivial, and therefore most dangerous, when its aspirations are high, when it presents itself as a carrier of important cultural conversations" [31], describe with some precision the discursive economy surrounding narrative individualization as documented throughout Section 3: media coverage of personal conduct and lifestyle channels indignation toward indi-

vidualized culpability while supervisory and structural questions recede. The same dynamic recurs across this article's cases: judicial sanctions and terrorist designations are, among other things, extremely legible media events, and their legibility as spectacle is not incidental to how thoroughly, or how briefly, they occupy public attention before the underlying institutional questions are procedurally displaced.

Postman's own analysis is explicitly built on a contrast with Aldous Huxley, and that contrast sharpens the mechanisms documented here. Huxley's *Brave New World* stages a civilization that abandons truth not through censorship but through a rationally defensible institutional trade-off: as the World Controller explains to a subordinate, mass production itself "demanded the shift" away from truth and beauty and toward comfort, because "universal happiness keeps the wheels turning steadily; truth and beauty cannot" [32]. None of the actors examined in this article are Huxleian world controllers, and none of them openly renounces truth as a value. But the structural logic Huxley dramatizes, that institutional continuity can require, and can be made to rationally justify, the subordination of substantive truth-finding to procedural stability, is precisely what regulatory accommodation accomplishes in Sections 3.2, 3.3, and 3.5: not a lie, but a standing institutional preference for continuity over resolution, dressed in the same vocabulary of prudence Huxley's Controller uses to explain why his world stopped asking certain questions.

Eric Hoffer's observation that mass movements offer their adherents "a substitute, whether for the whole self or for the elements that make life bearable, which they cannot extract from their own individual resources" [33] is not directly a theory of institutional illegality, but it clarifies why criminal governance of the kind documented in Section 3.3 achieves the durable legitimacy that Lessing and Willis describe [20]: the PCC's disciplinary order offers precisely the substitute Hoffer describes, order, standing, a legible system of reward and punishment, to populations for whom the formal state supplies none of it. This is not an apology for criminal governance; it is an explanation of why designating an organization a terrorist entity, a procedural and diplomatic act, does nothing to address the substitute function Hoffer identifies, which is why Section 3.3 found procedural displacement present but regulatory accommodation dominant: the designation manages compliance risk without touching the underlying condition that makes the PCC's parallel order attractive in the first place.

Finally, Nassim Nicholas Taleb's account of asymmetric risk-bearing supplies the clearest normative vocabulary for what all three cases, in different registers, share. Taleb describes the rise of a class of "inverse heroes," "bureaucrats, bankers… and academics with too much power and no real downside and/or accountability," who "game the system while citizens pay the price," in explicit contrast to an earlier order in which "people of rank or status were those, and only those, who took risks, who had the downside for their actions" [34]. Girard's scapegoat mechanism, already applied above to the INSS case [28], describes the mirror image of Taleb's inverse heroes: society still requires *someone* to bear risk visibly, and where the actual risk-bearers escape via procedural displacement, a substitute bearer, individualized, punishable, and structurally peripheral to the systemic question, is produced instead. Taken together, Taleb and Girard describe two halves of a single operation: the zero-accomplice horizon closes not because responsibility disappears, but because it is relocated from those with skin in the game [34] to whichever individualized figure the discursive apparatus can most easily convert into a scapegoat.

3.7. Structural Counterpoint: Penal Selectivity

The asymmetry documented throughout Section 3 has a direct penal counterpart. Michel Misse's foundational account of criminal subjection in Brazil [35] and Lo ̈ic Wacquant's analysis of the penal state document a system that processes marginalized populations, including those already subordinated to PCC and CV governance, far more swiftly and punitively than it processes the financial and judicial elites discussed above. Wacquant's short 1999 essay states the underlying thesis with unusual concision: "suppression of the economic state, weakening of the social state, strengthening and glorification of the penal state" [36]; his later, more extensive study of the same phenomenon describes this as the "neoliberal government of social insecurity" [37]. None of the three cases examined in Section 3 produced a pretrial detention, a criminal conviction, or an asset freeze against any individual member of the financial, judicial, or diplomatic elite involved, within the period covered by this corpus, a fact that stands in stark relief against the routine severity Misse and Wacquant document for the populations governed informally by the very organizations designated as terrorist entities in Section 3.3.

4. Discussion

The central finding of this study is that the Theory of Institutionalized Illegality survives its first cross-domain test, but not intact. Two of its five mechanisms, procedural displacement and regulatory accommodation, recur outside the financial sector in every case examined; two others, narrative individualization and the zero-accomplice horizon, recur only where the object of accountability is an individual or a small named group; and the fifth, context restriction, appears to be domain-specific to institutions with a standing public duty of explanation. This is a genuinely informative result rather than a disappointing one: it suggests that strategic silence is not a universal feature of institutionalized illegality but a specific discursive resource available only to actors who would otherwise be expected to speak, which is itself a refinement of the theory rather than a refutation of it.

The Magnitsky case is the more theoretically consequential of the two extensions, because it demonstrates that the mechanisms the anchor study identified in domestic Brazilian fi-

nancial governance are equally available to a foreign sovereign acting unilaterally, and, more surprisingly, that the same mechanisms can be deployed in the *name* of accountability, a human-rights sanction against a court accused of overreach, while reproducing exactly the deferral pattern the theory associates with its absence. This complicates any reading of institutionalized illegality as a peculiarly domestic or peculiarly authoritarian pathology. Levitsky and Ziblatt's influential account of how elected autocrats capture institutional referees to "rewrite the rules of the game in their favor" [38] describes unidirectional capture: a government aligning courts against its opponents. What Section 3.2 documents is not unidirectional; it is a structure in which the accusation of capture and the accusation of lawfare circulate reciprocally between a domestic court and a foreign government, neither claim ever judicially tested, both resolved instead by a telephone call. Levitsky and Ziblatt's own vocabulary of captured referees explains why sanctioning and desanctioning a judge can function as governance technology, but not why the same vocabulary is available, symmetrically, to the party being accused of capturing referees in the first place. Bermeo's account of backsliding as the "state-led debilitation or elimination of the political… controls" [39] similarly presupposes a relatively coherent executive project; the pattern documented here is more fragmented, a reciprocal, asymmetric contest between a domestic judiciary and a foreign executive, each capable of deploying the other's accountability vocabulary against it, and each resolving the contest procedurally rather than substantively. This fragmentation is consistent with, though not identical to, the argument that Brazilian democratic institutions have proven unusually resilient to any single locus of capture [40], a finding that converges with the broader recent literature on democratic resilience [41]; the present findings suggest that resilience against capture by any one actor is compatible with chronic vulnerability to the deferral mechanisms documented here, which do not require a single captor to operate.

Gabardo and Salgado's peer-reviewed finding that Brazil's own judiciary has assumed a populist role in the erosion of the rule of law [10] and Viterbo's account of disproportionate, effectively non-appealable fines functioning as an instrument of intimidation [12] describe a domestic lawfare critique that predates the Magnitsky sanction by years. The sanction did not resolve that critique; it externalized it, translated it into the vocabulary of international human-rights law, attached it to a punitive instrument with no domestic due-process analogue, and then withdrew it for reasons that had nothing to do with the critique's merits. This is precisely the pattern the anchor study calls procedural displacement, generalized from Brazilian institutional competence-boundaries to the boundary between domestic and international jurisdiction itself.

Two bodies of comparative theory sharpen this point further. Christopher Ansell's anthropological account of corruption identifies the field's most common working definition as "the misappropriation of public resources for private gain," a definition that, Ansell observes, "implies no condemnation of either public or private interest, but only insists that both should stay in their proper place" [42]. Institutionalized illegality, read against Ansell, is a limiting case of exactly that logic: it is not primarily a theory about the misuse of resources but about the maintenance of "proper place", of competence, sequence, and jurisdiction, regardless of the substantive outcome those forms end up producing. Leonardo Avritzer's diagnosis of Brazil's own democratic impasse names "the new role of the Judiciary in politics" as one of five structural elements of that impasse, alongside "the paradoxes of the fight against corruption, which advances and reveals dramatic elements of the privatization of the public sector in the country, which end up further delegitimizing the political system" [43]. Read together, Ansell and Avritzer suggest that the mechanisms documented in Sections 3.1 through 3.5 are not a peculiarity of the Banco Master, Magnitsky, or PCC/CV cases taken individually, but a structural feature of how a judiciary that has itself become a central political actor manages the paradox Avritzer names: anti-corruption enforcement that is procedurally intense and substantively self-limiting at one and the same time.

The terrorist-designation case complicates the theory differently, by testing it against a non-individual, non-institutional object. That narrative individualization and the zero-accomplice horizon largely fail to apply to a criminal organization, while procedural displacement and regulatory accommodation apply cleanly, suggests that the theory's five mechanisms are not a single unified phenomenon but two analytically separable clusters: mechanisms that operate on *bureaucratic time* (displacement, accommodation) and mechanisms that operate on *narrative personhood* (individualization, the zero-accomplice horizon). Context restriction sits ambiguously between the two. Future refinements of the theory, addressed briefly below, should treat this distinction as a structural feature rather than an incidental finding.

Read together with the anchor study, this article's results support a stronger claim than either study alone: proceduralized illegality is not a description of Brazilian financial regulation, nor of any single institution's pathology, but a general grammar available wherever legal or quasi-legal form can be separated from substantive accountability, including, as Section 3.2 shows, to actors entirely outside Brazilian jurisdiction. Faoro's and Holanda's patrimonialism thesis, inherited from the anchor study [2], explains why this grammar is so readily available domestically; it does not, by itself, explain why a foreign sovereign would reproduce the identical discursive structure. The Voegelin, Koestler, Postman, Huxley, Hoffer, and Taleb material introduced in Section 3.6 is offered as a partial answer: these are not culturally specific pathologies but recurring solutions to a shared structural problem, how any institution, anywhere, converts an intolerably diffuse question of responsibility into a publicly closable narrative, and Girard's scapegoat mechanism [28] is, on this reading, the

oldest name for the same operation Section 3.1's narrative individualization describes in bureaucratic vocabulary.

Limitations. This remains a qualitative, interpretive extension study, not a statistical test of the theory against competing hypotheses. Two of its three cases share an apex institution and an overlapping period, which is a genuine constraint on how far the comparative finding in Table 1 can be generalized; the third case was deliberately selected, as in the anchor design, for its structural distinctness, a non-individual, non-financial, non-domestic object, precisely to offset this constraint, but a fully independent third domain (a different court, a different country, a different type of scandal) would strengthen the comparison further. All quotations from Portuguese-language sources in this article, including Agamben, Girard, Levitsky and Ziblatt, Hoffer, Huxley, and Wacquant's 1999 essay, were translated by the author from the editions consulted and should be checked against the original-language or standard English editions before submission, a task noted explicitly in the compliance section below. Finally, the discursive-cultural register developed in Section 3.6 is interpretive rather than empirical; it is offered as an explanatory supplement to, not a substitute for, the institutional analysis in Sections 3.1-3.5.

5. Conclusions

This article tested, for the first time, the transferability claim made by the Theory of Institutionalized Illegality at the close of its founding study [2]: that the mechanisms identified in the Banco Master financial collapse are not artifacts of banking regulation but a general grammar of governance. Across two new and structurally distinct cases, the sanctioning and desanctioning of a sitting Supreme Federal Court justice under a foreign human-rights statute, and the designation of Brazil's two largest criminal factions as foreign terrorist organizations, procedural displacement and regulatory accommodation recurred consistently, while narrative individualization and the zero-accomplice horizon recurred only where the object of accountability was an individual, and context restriction proved specific to institutions bearing a standing duty of public explanation. The theory is accordingly revised, not abandoned: procedural displacement and regulatory accommodation should be understood as operating on institutional time, available to any actor capable of invoking competence, sequencing, or resolution architecture, while narrative individualization and the zero-accomplice horizon operate on narrative personhood, and weaken sharply when the object of accountability is an organization rather than an individual.

The article also draws a deliberate line between legal-institutional analysis and the humanities, treating Aeschylus and Castro Neves, Voegelin, Koestler, Postman, Huxley, Hoffer, and Taleb not as ornamental references but as independent evidentiary registers for the same underlying claim: that publics require accountability to be narratable, and that this requirement, more than any particular actor's bad faith, is what makes procedural and narrative deferral such a durable governance technology. This connects the theory advanced here, and in its founding study [2], to the author's broader argument, developed at greater length in *A Sombra do Crime* [25], that Brazilian institutional crisis is best understood not as the absence of law but as law's own procedural excess, correctly functioning forms mobilized to produce the practical equivalent of the very suspension of accountability they were designed, in Castro Neves's terms, to replace [1].

For future research, the clearest next step is a genuinely independent third-jurisdiction test, applying the same five-mechanism, three-type coding scheme to a case involving neither Brazil nor the United States, to determine whether the institutional-time and narrative-personhood clusters identified here hold outside the specific diplomatic relationship examined in this article.

It is worth returning, in closing, to the myth with which this article opened. Aeschylus gives the Furies, Orestes's pursuers, their own account of justice, one that Athena's court does not simply defeat but must find a place for: "the supreme law commands reverence for the sanctified altar of justice," they declare in the *Eumenides*, and their justice is applied isonomically, falling on the guilty "however powerful" the guilty may be [44]. What makes Athena's institution durable is not that it silences the Furies' demand for inflexible, unconditional accountability, but that it re-houses that demand inside a procedure the community can trust to eventually satisfy it. The pattern documented across this article, a bank, a court, a sanctions list, and a terrorist designation, is what happens when that rehousing goes wrong: when the procedure survives, is elaborated, and is even multiplied, while the Furies' underlying demand, that the guilty be found and named "however powerful", quietly stops being met. Institutionalized illegality, in this sense, is not the opposite of Athena's court. It is what remains of it once the altar is still tended but no longer visited.

Abbreviations

PCC	Primeiro Comando Da Capital (First Command of the Capital)
CV	Comando Vermelho (Red Command)
STF	Supremo Tribunal Federal (Supreme Federal Court of Brazil)
FTO	Foreign Terrorist Organization
OFAC	Office of Foreign Assets Control (U.S. Department of the Treasury)
INSS	Instituto Nacional Do Seguro Social (National Social Security Institute)
ADPF	Arguição De Descumprimento De Preceito Fundamental (Claim of Non-Compliance with a Fundamental Precept)

Author Contributions

Vinícius Rosoha Pereira: Conceptualization, Data curation, Formal Analysis, Investigation, Methodology, Validation, Writing – original draft, Writing – review & editing

Conflicts of Interest

The author declares no conflicts of interest.

References

[1] Castro Neves JR de. A Invenção do Direito: como Ésquilo, Sófocles, Eurípedes e Aristófanes fundaram a Justiça. Rio de Janeiro: Nova Fronteira, 2021.

[2] Pereira VR. Theory of proceduralized illegality: narrative governance and accountability deferral in Brazilian financial accountability regimes (Banco Master, 2025-2026). Forensic Res Criminol Int J. 2026; 14(1): 48-58. https://doi.org/10.15406/frcij.2026.14.00466

[3] Yin RK. Case Study Research and Applications: Design and Methods. 6th ed. Thousand Oaks: SAGE, 2018.

[4] Miles MB, Huberman AM, Saldaña J. Qualitative Data Analysis: A Methods Sourcebook. 4th ed. Thousand Oaks: SAGE; 2020.

[5] Agamben G. Estado de Exceção. Trans. Iraci D. Poleti. São Paulo: Boitempo, 2004. [English edition: State of Exception. Trans. Kevin Attell. Chicago: University of Chicago Press, 2005.].

[6] U.S. Department of State. Sanctioning Brazilian Supreme Court Justice Alexandre de Moraes for Serious Human Rights Abuse. Washington, DC, 31 Jul. 2025. [Internet]. Available from: https://www.state.gov/releases/office-of-the-spokesperson/2025/07/sanctioning-brazilian-supreme-court-justice-alexandre-de-moraes-for-serious-human-rights-abuse [Accessed 8 July 2026].

[7] U.S. Department of State. Sanctioning Support Network of Brazilian Judge Alexandre de Moraes. Washington, DC, 22 Sep. 2025. [Internet]. Available from: https://www.state.gov/releases/office-of-the-spokesperson/2025/09/sanctioning-support-network-of-brazilian-judge-alexandre-de-moraes [Accessed 8 July 2026].

[8] The White House. Executive Order 14323: Addressing Threats to the United States by the Government of Brazil. Washington, DC, 30 Jul. 2025. [Internet]. Available from: https://www.whitehouse.gov/presidential-actions/2025/07/addressing-threats-to-the-us/ [Accessed 8 July 2026].

[9] Agência Brasil. US scraps Justice Alexandre de Moraes and wife from Magnitsky Act list. Brasília, 12 Dec. 2025. [Internet]. Available from: https://agenciabrasil.ebc.com.br/en/internacional/noticia/2025-12/us-scraps-justice-alexandre-de-moraes-and-wife-magnitsky-act-list [Accessed 8 July 2026].

[10] Salgado ED, Gabardo E. The role of the judicial branch in Brazilian rule of law erosion. Revista de Investigações Constitucionais. 2021; 8(3): 731-769. https://doi.org/10.5380/rinc.v8i3.83336

[11] Salomão Leite G. Passiveness, activism and constitutional bullying: the Supreme Federal Court and Brazil's fragile rule of law. ICL Journal. 2023; 17(3): 233-250. https://doi.org/10.1515/icl-2023-0041

[12] Viterbo E. "Moraes Damages": the lawfare strategies of Justice Alexandre de Moraes in the Supreme Federal Court. Revista Jurídica (Unicuritiba). 2024.

[13] Congressional Research Service. The Global Magnitsky Human Rights Accountability Act: Scope, Implementation, and Considerations for Congress (Report R46981). [Internet]. Available from: https://www.congress.gov/crs-product/R46981 [Accessed 22 July 2026].

[14] U.S. Embassy Brazil. Terrorist Designation of Comando Vermelho and Primeiro Comando da Capital. Brasília, 28 May 2026. [Internet]. Available from: https://br.usembassy.gov/terrorist-designation-of-comando-vermelho-and-primeiro-comando-da-capital/ [Accessed 8 July 2026].

[15] Agência Brasil. EUA passam a designar CV e PCC como organizações terroristas. Brasília, 28 May 2026. [Internet]. Available from: https://agenciabrasil.ebc.com.br/internacional/noticia/2026-05/eua-passam-designar-cv-e-pcc-como-organizacoes-terroristas [Accessed 8 July 2026].

[16] ConJur. PCC e CV como organizações terroristas: compliance das empresas brasileiras. 8 Jun. 2026. [Internet]. Available from: https://www.conjur.com.br/2026-jun-08/pcc-e-cv-como-organizacoes-terroristas-compliance-das-empresas-brasileiras/ [Accessed 8 July 2026].

[17] Hogan Lovells. U.S. Government designates Brazil's Primeiro Comando da Capital (PCC) and Comando Vermelho as terrorist organizations. 2026. [Internet]. Available from: https://www.hoganlovells.com/en/publications/us-government-designates-brazils-primeiro-comando-da-capital-pcc-and-comando-vermelho [Accessed 8 July 2026].

[18] Trench Rossi Watanabe. U.S. designates PCC and CV as Foreign Terrorist Organizations. Legal Alerts, 2026. [Internet]. Available from: https://www.trenchrossi.com/en/legal-alerts/u-s-designates-pcc-and-cv-as-foreign-terrorist-organizations/ [Accessed 8 July 2026].

[19] Tauil & Chequer Advogados. United States Designates Brazil's PCC and CV as Terrorist Organizations: Key Legal and Compliance Implications. May 2026. [Internet]. Available from: https://www.tauilchequer.com.br/en/insights/publications/2026/05/united-states-designates-brazils-pcc-and-cv-as-terrorist-organizations-key-legal-and-compliance-implications [Accessed 8 July 2026].

[20] Lessing B, Willis GD. Legitimacy in criminal governance: managing a drug empire from behind bars. American Political Science Review. 2019; 113(2): 584-606. https://doi.org/10.1017/S0003055418000928

[21] Brookings Institution. The internationalization of organized crime in Brazil. Washington, DC, Feb. 2024.

[22] Lessing B. Conceptualizing criminal governance. Perspectives on Politics. 2021; 19(3): 854-873. https://doi.org/10.1017/S1537592720001243

[23] Feltran G. The Entangled City: Crime as Urban Fabric in São Paulo. Manchester: Manchester University Press; 2020.

[24] Amorim C. Assalto ao Poder: o Crime Organizado no Brasil. [Digital edition consulted.].

[25] Pereira VR. A Sombra do Crime: Facções, Instituições e a Crise do Estado Democrático de Direito no Brasil. 1st ed. São Mateus do Sul: Self-published, 2025. ISBN 978-65-01-55946-9. https://zenodo.org/records/24137828

[26] InfoMoney. Dirigentes de entidades investigadas por fraude no INSS eram laranjas de empresários. 2025. [Internet]. Available from: https://www.infomoney.com.br/politica/dirigentes-de-entidades-investigadas-por-fraude-no-inss-eram-laranjas-de-empresarios/ [Accessed 8 July 2026].

[27] Advocacia-Geral da União. STF homologa acordo para ressarcimento de aposentados e pensionistas do INSS. Brasília, 3 Jul. 2025. [Internet]. Available from: https://www.gov.br/agu/pt-br/comunicacao/noticias/stf-homologa-acordo-para-ressarcimento-de-aposentados-e-pensionistas-do-inss- [Accessed 8 July 2026].

[28] Girard R. O Bode Expiatório. [Portuguese edition consulted; pagination follows this edition., English translation: The Scapegoat. Trans. Yvonne Freccero. Baltimore: Johns Hopkins University Press, 1986. Original: Le Bouc emissaire. Paris: Grasset, 1982.].

[29] Voegelin E. The New Science of Politics. Chicago: University of Chicago Press, 1952 (1987 ed., editor's foreword).

[30] Koestler A. O Zero e o Infinito. [Portuguese edition consulted; pagination follows this edition., English translation, first publication of the work following the loss of Koestler's German manuscript: Darkness at Noon. Trans. Daphne Hardy. London: Jonathan Cape, 1940; New York: The Macmillan Company, 1941.].

[31] Postman N. Amusing Ourselves to Death: Public Discourse in the Age of Show Business. New York: Viking, 1985.

[32] Huxley A. Admirável Mundo Novo. [Portuguese edition consulted., English original: Brave New World. London: Chatto & Windus, 1932.].

[33] Hoffer E. Fanatismo e Movimentos de Massa. [Portuguese edition consulted; pagination follows this edition., English original: The True Believer: Thoughts on the Nature of Mass Movements. New York: Harper & Brothers, 1951.].

[34] Taleb NN. Antifragile: Things That Gain from Disorder. New York: Random House, 2012.

[35] Misse M. Crime e Violência no Brasil Contemporâneo: Estudos de Sociologia do Crime e da Violência Urbana. Rio de Janeiro: Lumen Juris, 2006.

[36] Wacquant L. As Prisões da Miséria. Trans. André Telles. [Portuguese edition consulted; pagination follows this edition., Original: Les Prisons de la Misère. Paris: Raisons d'Agir, 1999. Expanded English translation: Prisons of Poverty. Minneapolis: University of Minnesota Press, 2009. ISBN 978-0-8166-3901-4.].

[37] Wacquant L. Punishing the Poor: The Neoliberal Government of Social Insecurity. Durham: Duke University Press, 2009.

[38] Levitsky S, Ziblatt D. Como as Democracias Morrem. Rio de Janeiro: Zahar, 2018. [English original: How Democracies Die. New York: Crown, 2018.].

[39] Bermeo N. On democratic backsliding. Journal of Democracy. 2016; 27(1): 5-19. https://doi.org/10.1353/jod.2016.0012

[40] Pereira C, Melo MA. Why didn't Brazilian democracy die? Latin American Politics and Society. 2024; 66(4): 133-152. https://doi.org/10.1017/lap.2024.4

[41] Levitsky S, Way L. Democracy's surprising resilience. Journal of Democracy. 2023; 34(4): 5-20. https://doi.org/10.1353/jod.2023.a907684

[42] Ansell CK. The Elementary Forms of Corruption. 2025, citing Fukuyama F. Political Order and Political Decay. New York: Farrar, Straus and Giroux, 2014, p. 83.

[43] Avritzer L. Impasses da Democracia no Brasil. Rio de Janeiro: Civilização Brasileira, 2016.

[44] Neves JR de Castro (ed.). O Que os Grandes Livros Ensinam Sobre Justiça. Rio de Janeiro: Nova Fronteira, 2019.