



IGARAPÉ INSTITUTE
a think and do tank

TECHNICAL NOTE

A Typology to
Understand
Strategies and
Tactics for
Attacking the
Civic Space

AUGUST 2021

A Typology to Understand Strategies and Tactics for Attacking the Civic Space

The objective of this technical note is to update the typology presented in the Igarapé Institute Strategic Paper 49: [“The ‘Agora’ is Under Attack: assessing the closure of civic space in Brazil and around the world”](#). The exercise of monitoring assaults on the civic space aims to understand the principal strategies and tactics used to undermine it and, thus, to propose actions to protect democracy. Democracy is a never ending process of search for consensus, and is therefore neither static nor permanent, but dynamic. Likewise, tactics which seek to corrode democracy also adapt to changing times and to the reactions carried out by State institutions and by society.

While mapping threats to the civic space since January 2019, the need to update the typology in order to include new strategies and tactics proved necessary. As a sociological typology, the categories described in Article 49 are fluid and ought to accompany the evolution of the political and social context in the countries where they are used. The following suggestions are a result of this transformation.

Political and social context in Brazil and in the world

The threats to civic space in Brazil, and in the world are not new. In the current political and social context, however, new tendencies have arisen and must be considered. The COVID-19 pandemic is highly representative as it created a fertile environment for a new form of populism: the [pandemic populism](#). [Governments with authoritarian and populist tendencies](#) saw an opportunity in the global health crisis to [apply emergency legal measures](#), increasing their powers and their surveillance over the population. Often, pandemic management was inspired by political interests. Important medical and scientific community guidelines, such as the [adoption of social distancing measures](#), the [use of masks](#), and [mass vaccination](#), were [ignored or questioned by public authorities](#). All of these factors together led [to the systematic violation](#) of the entire population’s right to health, which is why we have added **social, economic, cultural, and environmental rights violations** to the typology.

The right to education, another important social right, was also particularly affected by the pandemic. The [extreme social inequality in Brazil deepened even further](#) and, consequently, also worsened inequalities in access to education. The public schools, which were kept closed to maintain social distancing measures, were severely [affected and struggled to carry out remote education](#), not only due to a lack of structure, but also due to the students’ impossibility to access the necessary technological tools. [This kept students across Brazil from continuing their studies](#). This issue was aggravated by budget cuts into the Ministry of Education’s (MEC) discretionary spending, which [is now at less than half of 2018’s value](#).

Beyond social rights, the right to a healthy environment also became an important theme during the health crisis. As former [minister of the Environment Ricardo Salles emphasized](#), the pandemic was perfect timing for “run the

cattle herd”, or rather, passing “infralegal” reforms to “simplify” and “deregulate” environmental protection laws. And this is exactly what happened.

These are only a few examples which led to the inclusion of **violation of social, economic, cultural, and environmental protection rights** in the list of strategies categorized by Igarapé’s typology. It is important to emphasize that these violations are not specifically related to the pandemic, but include any tactics which involve the State’s omission in protecting economic, social, cultural, and environmental rights, or the blatant disrespect for these guarantees.

As far as the **abuse of power strategy**, countless cases of serious misuse were observed, that is, when the [administrative act is practiced in disagreement with the law purposes](#), to the detriment of the public interest. New tactics added to the category include political interference in [nominations and dismissals which do not abide by republican criteria](#). There has already been significant headway towards undermining the mandates of key agencies, and we have noted grave consequences in vital areas such as [health](#), [education](#), the [environment](#), and [human rights](#).

Updating the typology of **constitutional hardball** was the result of a lack of restraint by the different government branches, or rather, political actors began to widely abuse their institutional prerogatives. There was an increasingly large number of actions which, although technically within the bounds of the law, contradicted its spirit. These tactics include, for example, [reducing the influence of opposition parties in Congress by changing parliamentary procedure](#), and executive decisions which [reduced the budgets and structure of public agencies which oversee the Executive Branch](#).

Funding restrictions were also prevalent, and State omissions or direct actions which limited access to public funding increased significantly. Technical and scientific research institutions were particularly affected by the cuts, which even hit [COVID-19 research, scholarships,](#)

[and the return of in-person classes at federal universities](#). As an example, the federal government reduced the importation quota for equipment and material for scientific research by 68.9%. The Federal University of Rio de Janeiro (UFRJ), the largest federal university in the country, is at risk of closing down due to the lack of funding. Over 11 years, the [MEC budget for federal universities dropped 37%](#). Moreover, for the first time in ten years, the [Ministry of Culture refused to fund a project by the Vladimir Herzog Institute](#). The scrapping of crucial sectors has been carried out by restricting access to funding.

Lastly, a new tactic came to light in cases of **cooptation**: actions aimed at attending demands and garnering and strong-arming allied groups and potential supporters through incentives, funding, and excessive privileges. In Brazil, the president sought to strengthen alliances with his aides, especially those in the public security forces and Armed Forces (police, Army, Navy, and Air Force). The [Estado de S. Paulo](#) reported that Jair Bolsonaro had created a “kindness package” for his electoral base in order to attract members of the military police with measures such as subsidized mortgages and more autonomy for them. [Folha de S. Paulo](#) showed that, in order to renew his political alliance with the Armed Forces, Bolsonaro offered powerful positions and emphasized his own opposition to the left. The federal administration has also fostered support from [religious groups](#) and [agribusiness](#).

Updated Typology

Strategies	Description	Examples of tactics / actions
I. Cooptation	Cooptation is the process of garnering or strong-arming political support by offering privileges or advantages, generally to manage the opposition and attend to the demands and interests of allied groups or potential supporters, thus maintaining the group’s power and stability. (Selznick, 1948; Piven and Cloward, 1977).	<p>Offer of privileged relationship, including access to public contracts and funding, if given unrestricted support.</p> <p>Public incentives, subsidies, and actions allocated specifically for the support, funding, and strengthening of allied groups, as a concession of excessive privilege in order to maintain loyalty and unconditional support from the allied base.</p>
II. Coercion	Coercion is the use of threats to influence another’s behavior by limiting choice (Schelling 1966).	<p>Veiled or open threat to dismiss or disempower public servants and political appointees if they don’t adhere to government’s false narratives or wrongdoings.</p> <p>Veiled or open threats to suspend ongoing partnerships and/or public funding in light of public criticism.</p>
III. Fake News and disinformation campaigns	<p>Fake news are false stories circulated on the news, social media, and spread on the internet, which try to appear as real news. There are six types: news satire, news parody, fabrication, manipulation, advertising, and propaganda (Tandoc, Lim, Ling, 2007).</p> <p>Disinformation is false information spread deliberately to cause public harm or for profit, going beyond fake news (EC, 2018).</p>	<p>Mass production and dissemination of false content to earn political influence.</p> <p>Hiring bloggers, using fake profiles, bots and other digital tools to create and spread false stories using public money or resources from supporting groups.</p> <p>Deliberate spread of disinformation campaigns to distract or deceive.</p> <p>Attacks against facts and science.</p>
IV. Censorship (overt or veiled)	Censorship refers to the “policy of restricting the public expression of ideas, opinions, conceptions and impulses which have or are believed to have the capacity to undermine the governing authority or the social and moral order which that authority considers itself bound to protect” (Laswell, 1930)	<p>Intent to provoke self-censorship of individuals that are targeted online or offline.</p> <p>Creation of obstacles to access public information.</p> <p>Classification or restriction of publications and documents.</p> <p>Direct intent to disqualify research results.</p> <p>Defunding of cultural projects not aligned with the government’s views.</p> <p>Filtered content or close down of the internet.</p> <p>Vastly enforced censorship of media, research, cultural manifestations and debate.</p>

continuation

Strategies	Description	Examples of tactics / actions
V. Intimidation and Harassment	<p>Intimidation refers to direct or indirect actions against others to prevent them from continuing their work or to induce fear of an attack (CIVICUS, 2019).</p> <p>Harassment is legal or physical actions or behavior that demeans, humiliates or embarrasses a citizen when expressing critical opinions (CIVICUS, 2018).</p>	Use of state security forces and intelligence apparatus to intimidate opponents.
		Persecution and intimidation of activists, artists, civic leaders, journalists, and scientists.
		Blackmail.
		Harassment or attack of institutions by authorities.
		Public targeting / harassment of activists, artists, civic leaders, journalists, and scientists by high level authorities.
		Misogynist attacks against women with a public profile.
		Dehumanization / defamation / delegitimization campaigns against individuals, groups or institutions (direct or indirect action).
		Organized, online attacks and campaigns against individuals, groups or institutions (bots and digital mob mobilization).
		Threats to cancel public concessions of independent media channels. Pressure and threats to private companies to stop advertising on non-aligned media channels.
VI. Infringement of Privacy (State surveillance)	<p>Infringement of Privacy refers to the violations of the fundamental human right to privacy, which underlines that “no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation.” (Declaration of Human Rights, 1948).</p> <p>State Surveillance is the collection of information, including the monitoring, tracking, and identification to the administration of subject populations, supervised by officials and administrators, hinged to some specific purpose (Giddens, 1984; Lyon, 1994). It usually inhabits a shadowy realm of public affairs (Starr et al).</p>	Illegal wiretapping.
		Digital media monitoring for profiling, harassment, and intimidation.
		Closure of accounts, websites, servers.
		Hacking profiles to intimidate or harass, or to use private profiles in digital mob campaigns.
		Misuse of private citizens' data on micro-targeting disinformation campaigns and other digital actions without permission.
		Illegal monitoring of opposition, including protest organizers.

<i>Strategies</i>	<i>Description</i>	<i>Examples of tactics / actions</i>
<p>VII. Civil and Political Rights Violations</p>	<p>Violations of political rights include denial of the right to a fair trial and due process; and rights of participation in civil society and politics such as freedom of association, the right to assemble, and the right to vote (Dahl 2005).</p> <p>Violations of civil rights include discrimination on grounds of race, gender, sexual orientation, national origin, color, age, political affiliation, ethnicity, religion, and social origin; and restrictions of individuals' freedom. (ICCPR 1976).</p>	Restrictions or bans on public protests / demonstrations.
		Constraints for the incorporation, registration, operation and lifecycle of CSOs.
		Shutting down CSOs which resist conforming to authoritarian or draconian rules.
		De-registration or cancellation of licenses of operation for CSOs who comply with the law.
		Invasion / destruction of CSO offices.
		Seizure of property.
		Expulsion from or prohibition to operate in a determined country.
		Travel bans.
		Illegitimate legal investigations.
		Fomenting discrimination and infringing on the rights of minorities and vulnerable groups.
Fomenting religious intolerance.		
<p>VIII. Restrictions on Civic Participation and Engagement</p>	<p>Restrictions to any forms of individual or collective work to solve community problems and to address issues of public concern (civic participation) as well as any forms of following, having knowledge, beliefs, opinions and attitudes on public issues (civic engagement) (Barrett and Brunton-Smith 2014), especially when contributing and interacting with policy design, monitoring and/or decision-making process.</p>	Exclusion of language on civil society participation in national and international resolutions.
		Hardening of rules which allow civil society access to the National Congress.
		De-authorizing State institutions' work with NGOs.
		Penalization of public officers who disobey instructions of cutting access to civil society.
		Shutting down participatory councils and mechanisms.

continuation

<i>Strategies</i>	<i>Description</i>	<i>Examples of tactics / actions</i>
IX. Funding Restrictions	Restrictions on the capacity for civil society and technological-scientific research institutions, public or private, to access public funding, whether national or foreign, through laws, administrative measures, and extralegal activities coordinated by the government (Wolff and Poppe, 2015). Restriction can also be applied through the action of omission of the Government as a means to complicate, limit, or preclude public funding.	Governmental institutions stop granting authorization for CSOs to participate in projects and receive funds from international cooperation donors or from public programs which subsidize, give incentives, and provide financial support to civil society.
		Overly broad application of anti-money laundering and counterterrorism measures.
		Using defamation, treason, and other laws to bring criminal charges against recipients of international funding.
		Restrictions for domestic and international funding and/or prohibition of specific donors.
		Requirement of advance government approval and/or international funds routed through government-controlled entities.
		Capping the amount of international funding per CSO.
		Restriction of activities undertaken with international funding, including content-based restrictions (e.g. ban on human rights work or 'political activity').
		Taxation of international funds.
		Categorizing CSOs that receive international funding as 'foreign agents', adopting specific treatment of these organizing or imposing a burden on their work.
		Burdensome procedural requirements.
		Freezing or seizure of funds targeted toward funding civil society.
		Prohibition from receiving international funding and public budgets allocations.
		Shrinking public universities through excessive budget cuts.
Cutting fiscal benefits for scientific research and academic development.		

<i>Strategies</i>	<i>Description</i>	<i>Examples of tactics / actions</i>
<p>X. Physical Violence</p>	<p>Physical Violence is the intentional and direct infliction of harm on people, from physical suffering or bodily harm to violent death (Kalyvas 2006). In the context of this research, acts of physical violence can be perpetrated by state or non-state agents, including paramilitary, militia, gangs, private security and others emboldened by the hate rhetoric of political figures to get rid of opposition.</p>	Violent responses to protests by the State.
		Refusal to protect those who are threatened.
		Violent attacks on minorities and vulnerable groups.
		Threats of physical violence by State and non-State actors.
		Illegal imprisonment of civil leaders.
		Tortures / maltreatment.
		Forced disappearance.
		Taxation of international funds.
		Assassination / extrajudicial killing of human rights defenders, civil leaders, and journalists.
<p>XI. Constitutional Hardball*</p>	<p>Constitutional hardball consists of political actors exploiting procedures, laws, and institutions to obtain partisan gains while violating pre established norms and testing the limits of legality, which could undermine the shared understanding of democratic norms and the expectation that the other side will comply with them (Tushnet 2004, Levitsky and Ziblatt 2018). The inappropriate use of institutional prerogatives in the interest of political groups and/or private or non-republican interests.</p>	Excessive use of executive and infralegal measures to govern, ignoring Congress, principals, and constitutional guarantees.
		Issuing of norms and decrees that contradict the Constitution.
		Nonconforming with non-written norms that serve to respect the separation of State Powers.
		Executive decisions which reduce budgets, structure, and alter the functioning of public agencies created to audit, inspect, and supervise the Executive Branch.
		Reducing the power of opposition parties in Congress, restricting broader debate on votes.
<p>XII. Abuse of Power</p>	<p>Abuse of power is when political actors take advantage of their position for personal gain, preventing basic managerial responsibility and/or acting against the public interest and institutional responsibilities (Sankowsky, 1995).</p>	Political interference in ordinances from the Armed Forces that violate laws and/or the Constitution.
		Political interference in the public administration with nominations and dismissals of public servants to favor private interests.
		Political interference in nominations of public universities, research centers and participatory councils to impose censorship.
		Political interference in procedures and nomination of leadership of law enforcement and other independent public agencies to protect private interests.
		Nominations geared toward controlling agencies for political means or for satisfying private interests while clearly violating an institution's prerogatives, in a manner contrary to the public interest.

continuation

<i>Strategies</i>	<i>Description</i>	<i>Examples of tactics / actions</i>
<p>XIII. Violation of social, economic, cultural, and environmental rights.</p>	<p>Social, economic, and cultural rights (PIDESC, 1966) are human rights which guarantee the development and dignity of individuals and communities. They are fundamental for engagement in the civic space. Violations of these rights include the failure to respect, protect, and guarantee (Eide, 2001) adequate nutrition and housing, education, work, health, social security, participation in cultural life, water, and sanitation. In terms of the environment and its essential place in human rights (OC-23/17, CIDH), it is the State's duty to prevent, avoid, mitigate, and cooperate when it comes to environmental conservation.</p>	<p>The failure to elaborate or adopt plans for environmental disasters or emergencies, including safety measures and mitigating actions.</p>
		<p>Block, hamper, or preclude access to information relative to possible environmental interference.</p>
		<p>Promoting environmental destruction.</p>
		<p>The failure to consult or negotiate with populations and communities affected by environmental impacts and damages.</p>
		<p>Adopting measures which directly or indirectly discriminate against segments of the population.</p>
<p>* Even though most tactics which fall under the category “constitutional hardball” and “abuse of power” do not directly target agents in the civic space, these tactics diminish transparency, can undermine the separation of powers, as well as the checks and balances which can keep the tactics described in other categories from being implemented.</p>		
<p>Sources for these tactics: off the record interviews with civic leaders; Buyse 2018; Civicus 2017, 2018, 2019; ICNL; Levitsky and Ziblath 2018; OHCHR; Rutzen, 2015; WEF 2017; World Movement for Democracy.</p>		