

Political Polarization and Democratic Backsliding in America: How a Violence-Rich Nation Can Regulate it

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ABSTRACT

This paper explores democratic backsliding in the United States, focusing on the violence created due to an exacerbated wave of polarization in the system. Scholars have examined this trend over the past forty years, concluding that an increasing polarization poses serious challenges to the maintenance of American democracy. This study starts by examining the literature on polarization, political legitimacy, and proposed solutions to polarization. Then, using Robert B Talisse's views on political polarization, it outlines how the United States is a polarized nation, showing two main acts of violence resulting from such division:

Lastly, this study analyzes the pre and post-2022 Brazilian presidential election to test Carothers and O'Donohue's theory of a strong judiciary by mainly focusing on two specific events:

This study contributes to scholarship by expanding our understanding on managing polarization, utilizing a significant case study to help to comprehend the political scenario in the U.S. and its possible solutions.

Keywords: Polarization; Institutions; Violence; Voting; Judiciary

INTRODUCTION

Polarization has become an intrinsic part of 21st century politics. With the advances and development of the right wing agenda worldwide, a firm division between the two sides of the political spectrum is becoming, for many, clearer than ever. A more pronounced political polarization, however, is not favorable for the maintenance of democracy not only in the United States but in many other nations just as divided as Uncle Sam [1]. This study, then, mainly focuses on the American political system and the danger of living in an environment where its actors are in a fierce competition for power. With this said, this paper believes that increased affective polarization threatens democracy since it endangers political legitimacy as citizens fail to recognize the opposition as legitimate, resulting in a wave of violence.

Before this paper's main discussion, this study will present the leading schools of thought in the field. It will start by going over the topic of polarization and then move on to a discussion of legitimacy, especially concerning its connection with political polarization. Finally, it will address the methods scholars offer to appease polarization: To change the voting procedures, have

proportional representation, and in a more pessimistic lens show that it can only be managed, not fixed.

For its analysis section, this research outlines how increased polarization affects American society. It starts by using Robert B. Talisse's notion of political polarization and its three sites to make transparent the existing exacerbated polarization in the American political system. It then outlines two prevalent methods of violence in the US. Related to the outlined polarization:

- Violence specifically aimed at congress members.
- The invasion of congress on January 6.

Lastly, this research adds to carothers and O'Donohue's research on solving polarization by presenting Brazil as a case study that supports their views, further expanding the barrier of knowledge on managing polarization by testing a theory's applicability in a real-world scenario. A discussion on the selection of Brazil as a case study and its significance to the American political system is also offered [2].

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Polarization, legitimacy, and proposed solutions

Polarization is one of the main characteristics of 21st century American politics. In the recent decade, scholars have reported an alarming rate of increasing polarization in the United States. Boxell et al., for example, conducted an experiment with twelve OECD nations analyzing the trends in affective polarization—the negative feeling one party attributes to the other since the 1980’s finding strong evidence of a growth in polarization especially the United States. The researchers report that affective polarization in the US was at around 26.7 points by the end of 1978, reaching 55 in 2020. In addition, the international institute for democracy and electoral assistance showed in their 2021 report that the “United States, the bastion of global democracy, fell victim to authoritarian tendencies itself,” where populists and nativists thrive and drastically impact democratic norms in the nation. Professor Robert Talisse, echoing this study, further points out that this has been the first time that the US was classified as a “backsliding democracy.” Moreover, Drutman presents an opinion poll conducted in 2018 involving 747 democracy experts on their views on the democratic decline in the United States. Not surprisingly, this poll achieved a “nearly unanimous (97.1 percent)” results that “American democracy had declined over the last decade.” Such high numbers, however, are not only seen when experts are asked to opine, but are also visible in the general public as well. Back in 2014, the pew research center reported that republican’s and democrat’s aversion to one another is “deeper and more extensive than at any point in the last two decades.” The article shows that “92% of republicans are to the right of the median democrat, and 94% of democrats are to the left of the median republican.” In addition, 38% of democrats see republicans as a threat, with 36% of republicans mirroring this sentiment. American politics, then, is deeply polarized [3].

LITERATURE REVIEW

Political legitimacy is a pillar of democracy. Democracy, as a system that thrives when peaceful discourse takes place, is greatly damaged by the disrespect that arises when one party denounces their opponent’s rightful place in the political arena. As discussed by Levitsky and Ziblatt, democracy has two main norms, ones that have “preserved America’s checks and balances” and are “fundamental to a functioning democracy”:

- Mutual toleration.
- Forbearance.

The first is the mutual respect (as the name implies) that needs to exist between rivals in politics. Mainly, that politicians need to accept each other as legitimate as long as they play by the rules. Echoing Evelyn Beatrice Hall, “I disapprove of what you say, but I will defend to the death your right to say it.” The second is forbearance, or the “idea that politicians should exercise restraint in deploying their institutional prerogatives.” Here, politicians would avoid actions that, even though not anti-democratic in nature, violate norms already put in place. For example, Levitsky and Ziblatt mention that there was no rule that limited a president from serving more than two terms before the 22nd Amendment in 1951. George Washington,

however, retired after serving only two terms in 1797, which prompted figures like Thomas Jefferson to follow the example in 1809, birthing a tradition that we employ to this day in U.S. politics. In our contemporary world, though, politicians are more likely to be forbearing if accepting its opposition as legitimate. Therefore, when lack of legitimacy is in place, one’s behavior becomes anti-democratic [4].

As American politics becomes increasingly polarized, scholars offer suggestions to resolve the issue. Overall, three main recommendations stand out. The first, proposes a change in voting procedures/party structure. In their book, Carothers and O’Donohue explain that literature is inconclusive on the relationship between a two-party system and the development of acute polarization. However, they agree that “it is not hard to see how a system that fosters a two-party landscape may dispose a country to severe polarization” more than multi-party ones. Would, then, adding more parties to the U.S. political arena appease polarization? Some authors believe so. Lee Drutman, for instance, claims that politics in the United States is based on a “winner-take-all” notion, strengthened by its two-party system [5]. Then, leaving the winner take all system behind and migrating to a multi-party system would be beneficial for four reasons. First, it would better represent its voters, which would then be happier and more involved. Second, “multiparty democracy leads to more complex political thinking, more policy focused and positive campaigning, and more compromise oriented politics.” Third, multipartyism leads to a more inclusive, legitimate, and modest policymaking. Forth, it is reasonably able to represent minorities. The second suggestion is to migrate to a system with proportional representation, also giving up on the winner take all mentality. In their book, Lijphart discusses the patterns of democracy in thirty-six countries. There, the author presents that proportional representation “tends to be ‘kinder, gentler’ form of democracy.” agree and show that “the publics in Western countries with more proportional electoral systems display less intense dislike of partisan opponents.” also discuss that there is considerable evidence that a proportional system results in a higher level of voting, which is “correlated with citizens being more likely to report feeling that their vote makes a difference.” The scholars do acknowledge that this would not stop polarization from happening, but they do believe that it “might make it harder for the extremes to come to dominate.” Karp and Banducci present further evidence on the advantages of proportional representation to help polarized systems. The authors show that PR provides “more effective representation for small parties,” is a better way to represent minorities, and enhances “overall participation by fostering stronger party preferences.” Then, PR is seen as a possible tool to appeal polarization [6].

Finally, some authors believe that polarization cannot be fixed; only managed. Aikin and Talisse explain that democracy is a society of equals where disagreements must exist for democracy to function. Today, however, conflicts are not only over politics but values and differences between groups, being incredibly problematic for society. Then, in order to be able to have a civil political discourse, Aikin and Talisse believe that groups “must develop together a second-order vocabulary aimed at assessing arguments,” helping people to further understand their role in

democracy. In light of this, Carothers and O'Donohue offer a more in-depth explanation. The scholars agree that mutual respect, fair play, and believing in the legitimacy of the opposition are essential, but we also need two critical institutions to assist in these tasks: A rule of law and an independent election administration. The first, related to organizations that implement the rule of law, act by controlling the competition among political actors, ensure a fair and nonviolent dispute, and provide neutral ground for fact and norm based dialogue. The second impedes political actors from bending the rules to their favor, cheat, and deny the legitimacy of the opposition [7].

Analysis

The United States is a polarized nation. In his book sustaining democracy, Robert B. Talisse explains that political polarization is the “measure of the degree to which different groups are opposed to one another,” or rather, when it comes to the United States, the distance in between republicans and democrats. In his definition, Talisse proposes three different “sites” in political polarization: Platform polarization, partisan polarization, and belief polarization. The first is connected to the doctrines of each specific group, or how distant they are from each other in the political spectrum. The GOP is known for standing for conservatism, having a “strong focus on the family and individual freedom,” “religious freedom,” being pro-life, “against gun control,” and defends a strong military force. Democrats, on the other hand, urge “government funded healthcare,” the legalization of abortion, LGBTQ+rights, “tightening of gun legislation,” and the separation between church and state. Here, after analyzing each party’s principles, it becomes evident that Republicans and Democrats are completely opposite of one another [8].

The second, partisan polarization is related to the hostility among party leaders and its members. One defining characteristic, however, is that partisan polarization is “marked by the marginalization of even expulsion of group members who are willing to cooperate with the opposition.” To illustrate, republican senator Mike Rounds said that the 2020 presidential election was “fair, as fair as we have seen we simply did not win,” prompting former president Trump to call the senator a “jerk” and still press about the illegitimacy of the election. Moreover, Trump also attacked senate minority leader Mitch McConnell for failing to back his attempts to undermine the 2020 election,” also mentioning McConnell has a “death wish” for supporting the electoral count act. As per the events on January 6, the former president also criticized former VP Mike Pence for not having “the courage to act” and refuse to “interfere with the electoral college certification of the 2020 presidential contest,” which is illegal. Reportedly, Trump was informed about the illegality of interfering with the process, but still chose to attack the former Vice President. When interviewed about the incident, Pence said that Trump’s words “angered” him, explaining that “it doesn’t take courage to break the law. It takes courage to uphold the law.” These are only but a few examples in American politics that clearly outlines the concept described above. Lastly, belief polarization is about the “ideological shift” within a group that pushes them to adopt a more extreme

version of their views. Here, one specific example comes to mind: Qanon. The anti-defamation league explains that Qanon is a “decentralized, far-right political movement” rooted in conspiracy theories that democrats are “Satan-worshipping pedophiles,” where Donald Trump is the only trusted person to help defeat them. In addition, Qanon supporters believe that the “white hats” (Trump supporters) thought to be working in the government to take down the deep state allegedly stopped Obama and Clinton from interfering with the 2016 election, consequently running their plans of helping the Clinton foundation to pay back the funds they stole to “help” Haiti in 2010. For the movement, the money was never aimed at assisting Haiti to recover from the natural disaster, but to fund a child sex trafficking scheme in the nation. The absurdities in these examples, then, make it clear the power of belief polarization [9].

This rich state of polarization perpetuates political violence. There are many ways in which polarization can fuel hostility in the political arena. The first is that it encourages personal attacks to congress members. Since Trump’s election in 2016, it has been reported that “the number of recorded threats against members of Congress increased more than tenfold, to 9,625 in 2021.” In their article, Lai et al., documents some instances of politicians being attacked by citizens. They show that an unknown man violated Senator Susan Collin’s home, another went to representative Pramila Jayapal’s house “armed with a semiautomatic handgun and shouting threats and profanities,” and another tried to enter representative Alexandria Ocasio-Cortez’s office to confront her. More recently, on October 28, 2022, David de Pape invaded Nancy Pelosi’s house and attacked her husband, Paul Pelosi, who was alone. There, de Pape demanded to know where the speaker was, stating that “he was going to hold Nancy hostage and talk to her,” and if she did not tell the “truth,” she would be injured by the invader. When questioned, de Pape claimed that he was “sick of the ‘lies coming out of Washington DC” and that he was on a “suicide mission.” In the end, Paul suffered a skull fracture, and “serious injuries to his right arm and hands.”

Sadly, many republicans took the opportunity to further attack and ridicule the democratic party. As reported by Vanity Fair, while republican politicians like Mitch McConnell condemned the incident, others took the opportunity for mockery. Trump recognized that the attempted murder was terrible but then linked it to “weird things’ going on in Pelosi’s house.” Others, like Senator John Cornyn, used the situation to attack Joe Biden’s immigration policies, following the discovery that Paul De Pape grew up in Canada. Arizona GOP gubernatorial nominee Kari Lake joked that even though Nancy Pelosi is protected while in D.C., security is not her home’s forte. Lastly, Donald Trump Jr, following his father’s footsteps, tweeted a “Paul Pelosi Halloween costume” consisting of underwear and a hammer [10].

The second, it facilitated the Jan 6. Insurrection, an attack directly aimed at an institution that will forever be remembered in U.S history. On January 6, 2022, a crowd invaded the U.S congress due to dissatisfaction with the results of the election process fueled by Trump’s claims of possible fraud. After many

attempts at pressuring state and federal officials and even the vice president to “unconstitutionally nullifying Biden’s win,” nothing seemed to make Trump accept his loss. On January 6, however, everything changed [11]. A rally took place in Washington DC where Trump delivered a radical speech and urged his supporters to march to the capital and “fight like hell” to “stop lawmakers, and Pence, from certifying the election results.” Trump, as scholars show, crafted his strategies in a way to perfectly use his supporters to his advantage. Dalia Hamed found conclusive evidence that by using a “positive self-representation” when it comes to him and his voters and “negative other-representation,” Trump was able to further increase tension in between his “people” and the Democrats. Furthermore, Paulus and Kenworth concluded that the mob was subjected to “social influence processes, DE individualization, poor decision making, emotional contagion, and leadership,” where all dynamics are exacerbated by a leader (in this case, Trump) who can shape a crowd to his advantage. By means of example, the scholars contend that emotional contagion happens when one or more individuals’ emotions influence the rest, especially if coming from an authority figure. In the same line of thought, deindividuation is an unconscious process where a crowd “may lose their individuality and may be easily swayed by their leader and the actions of others. Lastly, Paulus and Kenworth claim that a good decision making process in a group depends on a “careful sharing of diverse perspectives,” which were obviously not the case during the riot since its sole purpose was to complain about the legitimacy of the election. In a similar note, Swol et al., find that “trusted authority figures” use of these kind of strategies are a “sanctioning role for extreme behavior,” which might explain the reasons fueling the event [12].

Proposed Solutions

A strong judiciary helps to soften political polarization. In their work, Carothers and O’Donohue proposed that a powerful rule of law and an impartial electoral administration are two possible avenues that might help to control polarization in the United States. In this section of the paper, I will present the events pre and post 2022 presidential election in Brazil to test the judiciary’s role in managing polarization, outlining two anti-democratic instances put forward by Jair Bolsonaro as an attempt to delegitimize the election, both cut by its root by the judiciary system: A radio report presented by Bolsonaro, and the attempt at questioning the security system of the electronic ballot boxes. Ever since assuming office, Bolsonaro and his supporters have been known for clashing with the judiciary. In many instances, due to this state of animosity between the (now former) president and the judicial branch, many Bolsonaristas have remained hostile towards the judiciary, demanding that Bolsonaro find a way to close congress and the supreme federal court “democratically.” By means of example, his supporters insisted that Bolsonaro use article 142 of the Brazilian constitution to shut down both the supreme federal court and congress by mobilizing the Brazilian military. Sadly for them, article 142 never even mentions a possible military intervention. In another instance, Bolsonaro’s supporters were seen mimicking the stance of Trump supporters on January 6 by

dressing like Jacob Chansley, a protester known for his horned outfit. Similarly, a study conducted at Vanderbilt university showed that 52% of right-wing Brazilian citizens would like the Supreme Federal court to be shut down. Bolsonaro and his supporters, then, are far from strangers when it comes to conflict with the judiciary [13]. Bolsonaro has many reasons to despise the judiciary, especially Alexandre de Moraes, a minister in the supreme federal court and president of the superior electoral court. First, Moraes has conducted many investigations of Bolsonaro. By means of example, while on a live stream, Bolsonaro mentioned a top secret document from the Federal police, later posting a link on his social media about it. This act, however, is illegal, prompting Moraes to open an investigation of this crime and request all of Bolsonaro’s posts related to said document to be deleted. In addition, Moraes is the author of a project that investigates fake news and attacks on members of the judiciary, being used to explore Bolsonaro’s false claims on the electronic ballot system and attacks to Moraes and other ministers [14]. Second, Moraes imprisoned many of Bolsonaro’s allies and blocked resources to pro-Bolsonaro institutions. Deputy Daniel Silva, during a live stream, threatened judges from the court and glorified the AI-5, a tool used during the dictatorship that gave the president the right to carry out torture and reinforced censorship. Another, Roberto Jefferson, published a video calling minister Carmen Lucia a “witch” and a “prostitute,” and when confronted with an arrest warrant, Jefferson met the Federal Police with bullets and grenades. When it comes to institutions that had their funding blocked, Moraes accused two entities of gathering donations to fund anti-SFC and pro-Bolsonaro protests, precluding both of their accounts on a money-receiving application. The fact that the judiciary has been acting against Bolsonaro’s actions, then, causes extreme hatred between them.

DISCUSSION

In the light of the recent presidential election, there were two specific instances of anti-democratic methods used by Bolsonaro that were cut short by the judiciary. On October 24, Bolsonaro presented a report claiming that certain radio stations in the Northeast were broadcasting his ads “154,085 times less than Lula’s between 7 and 21 of October.” Moraes, when confronted by said document, quickly pointed out that they were a poor attempt to question the legitimacy of the elections, giving Bolsonaro 24 hours to present a more serious statement. After some hours, Bolsonaro made a speech further insisting on this information, claiming it to be trustworthy and those they have proof from a variety of sources. Bolsonaro, in addition, published “hundreds of posts on social media arguing that the election results should not be respected since the candidates have not been competing on a level playing field.” One day later, on the 25th of October, Bolsonaro presented further “evidence” explaining that even though only the Northeastern region was documented in the first study, there is still substantial proof of a possible interference. Moraes, still not convinced, invalidated the report due to insufficient evidence.

The electronic ballot boxes used in Brazilian elections were also targeted. Bolsonaro is well-known for suggesting possible

breaches in the boxes' security mechanisms, even in an election that he has won. In a meeting with diplomats in the Alvorada palace in Brasilia, the former president delivered a presentation claiming that the ballot boxes are not secure, explaining that during the 2018 elections which he won some votes ended up going to his opponent due to an error in the machines. More recently, four days before the first turn of elections, Bolsonaro and his party decided to present a document that questioned the security of the ballot boxes, outlining vulnerabilities like its lack of a mechanism to "protect these Politically Exposed Persons (PEPs) who handle the code against irresistible coercion, creating another heightened risk." It is worth pointing out, however, that the electronic ballot boxes possess several security measures, many of which are accessible to the general public. The first, called parallel voting ceremony, commands the random selection of ballot boxes to be brought regional electoral tribune for review. Then, on an election day, other boxes are selected to have their votes registered on a piece of paper so they can be checked at the end of the voting period. The second is that the document with the counting of votes becomes public after a voting period, which can then be used to confront the SEC in the case of fraud. These, together with many other that protect the machines from being hacked by an outside source, make sure that Brazilian elections remain free of bias and are trustworthy. In addition, in a study done to investigate electoral fraud during the 2022 election found no proof of electoral dishonesty, which exemplifies the trustworthiness of the electronic ballots. The supreme electoral court, in response to the report, further restated the impossibility of electoral fraud, finding no "fragility or even evidence of vulnerability" on the electronic ballot boxes, closing the case. These experiences in Brazil are significant for a further understanding of polarization in the United States. Like the United States, Brazil is incredibly distrustful of its judicial branch. Datafolha, one of the biggest and most respected research institutions in Brazil, reported in 2022 that almost 40% of Brazilians do not trust the supreme federal court. Luana Patrolino further presents that 70% of Brazilians do not know that STF (acronym for Supreme Federal court in Portuguese) stands for, 72% do not know their function, and 84% of those interviewed declared mistrust in the judicial system as a whole, with 40% of them trusting the Catholic church and the rest the military. Lastly, in a study conducted by the Quaest institute, 85% of the respondents stated that the supreme federal court should be blocked. Regarding the United States, the Annenberg public policy center presented that 53% of Americans "disapprove of how the court handles its job," being incredibly problematic. Kathleen Hall Jamieson, the director of APPC, explained that "for the court to play its role in our system of government, it is important that it be perceived to be an independent branch that impartially and fairly bases its decisions on the constitution, the law, and the facts of the case." Gallup reported that 58% of Americans disapprove the supreme court, especially after the *Roe vs. Wade* decision was made. Lastly, Pew research center further adds to this idea by stating that 44% of Americans have an "unfavorable view" on the Supreme court. To conclude, both nations as data shows are distrustful of their respective judiciary system.

Academia and acting judges offer mixed results on the impact of public opinion on the American judicial system. David F Levi, a professor at Duke university, organized a conversation between him and judges at the United States court of appeals to discuss the declining public trust in the judiciary. There, the conversation was a mix of those that agree that the supreme court is directly dependent on positive public opinion and the rest that maintain that the judiciary sometimes needs to go against the public's point of view. To illustrate, Jeffrey S. Sutton explained that even though many disagree with the Supreme court, "the court sometimes rightly does exactly what the public does not want," leaving them "frustrated by case outcomes." Raymond Lohier, however, believes that "we really have nothing other than public confidence to protect the branch" since an absence of it would push ordinary citizens to ignore the supreme court's decisions thinking there would be no consequence for such action. In an interview, the 17th chief justice John Roberts echoed Sutton's opinion, explaining that "simply because people disagree with an opinion is not a basis for criticizing the legitimacy of the court." In the same vein, David Rivkin and Jennifer Mascott, both attorneys, wrote that the Supreme court "does its most important work when it renders decisions that are unpopular but legally correct," something that it must do "independent of political and popular winds." Lastly, in an article on the Washington post, academics Kathryn Haglin, Soren Jordan, Alison Merrill, and Joseph Daniel URA explained that support for them is not the same as legitimacy. In their words, "low specific support is a liability leaving the court and its decisions vulnerable to political attacks. However, low approval by itself does not mean the court's legitimacy is falling." On a pessimistic note, the authors end by predicting that if things still follow the same course of action, the different ideologies that clash between the supreme court and the public might change this balance. A negative perspective of the judiciary, however, does not harm the legitimacy of the Supreme Federal court, which may suggest that the same could happen in the United States. As we see in the examples provided, even with low public support, the Brazilian judicial system's quick action stopped a train of polarization in its tracks. Here, one more situation can illustrate that the Brazilian judicial system can hold its legitimacy even in a polarized system. Bolsonaro's loss for the presidential spot fueled a wave of protests throughout the entire nation, starting as soon as it was decreed that Lula was elected as the new Brazilian president on October 30th. According to the Federal highway police, there were around 400 blockages in 25 out of the 26 states in Brazil. On November 1st, Alexandre de Moraes ordered the FHP to immediately intervene and unblock all the highways, charging R \$100,000 per hour (around \$19,000) to those that participated in this anti-democratic protest. Three days later, the FHP and the military police reduced in half the total blockages, emitting more than three thousand traffic tickets. This example, alongside the other two already discussed, suggest that even though the public does not seem to approve the judiciary, Alexandre de Moraes orders are still followed and effective.

CONCLUSION

As seen, accentuated polarization has the potential to perpetuate violence. This paper presented literature that outlines an increasing polarization wave in the United States, one that according to scholars has never been seen in U.S. history. With this in mind, this study considered Robert B Talisse's research on political polarization and its three sites, showing that America is indeed heavily polarized, with these three sites outlining the different aspects of both sides of American politics. Partially due to this increased state of animosity, accentuated by party differences, the United States is being subjected to a wave of political violence. Here, this paper divided political violence into two main kinds. The first is that members of congress are being attacked by citizens, resulting in cases like Paul Pelosi's and many others. The second, by many the result of an exacerbated political polarization, is the invasion of congress on January 6 due to dissatisfaction with the election results, obviously fueled by former President Trump's remarks and actions revolving around the subject.

A strong judiciary might help to appease political polarization. Using Carothers and O'Donohue's suggestions specifically on the judiciary's role in managing polarization, this paper considered the events pre and post-2022 presidential election in Brazil to show how a proficient judicial branch can cut attempts to question legitimacy by its roots. Here, this study relied on two cases. The first was the claim made by Jair Bolsonaro that radio stations in the Northeast were disproportionately broadcasting more ads from Lula his opponent than his. After presenting a report to the supreme court, the organ quickly dismissed any allegations of interference, questioning then the legitimacy of the report itself and requesting that a more serious one be presented in its place. Shortly after, when another document was offered, the judicial system then denied any fraud due to a lack of significant proof. The second is related to the electronic voting ballots used in Brazilian elections and Bolsonaro's claim that they are and always have been untrustworthy. As seen, Bolsonaro has propagated many controversial claims about the security of the Brazilian elections, never missing an opportunity to question the electoral process that elected him to his post. Nonetheless, Bolsonaro and his party presented a report to the supreme electoral court inquiring about the security mechanisms of the electronic ballots, which after being examined by the court, lacked sufficient evidence. This study

contributes to scholarship on polarization. By presenting how the Brazilian judiciary system nullified anti-democratic attempts to question the legitimacy of the election, and the similarities between Brazil and the United States, this study might help scholars and policymakers to further understand polarization and the importance of the rule of law in controlling it. In the case of Brazil, we saw that a strong and unbiased judicial branch proved to be a major actor in controlling Bolsonaro's attempts to question the election. Then, future studies should dive into the judiciary's power to appease polarization so that Carothers and O'Donohue's theory can be deeply understood and tested.

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