EVER MORE ALONE. CIVILIZATION BESET BY A FUNDAMENTALIST ZEITGEIST[1]

CADA VEZ MAIS SOZINHOS. CIVILIZAÇÃO AFLIGIDA POR *ZEITGEIST* FUNDAMENTALISTA

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ABSTRACT:

In the West world anti-democratic forces currently strive to "subjugate institutions, stifle freedoms, worship violence, exalt ignorance, restrict the press, act as physical and digital militias" [3]. In the meantime, crushed by the weight of their doubts, their dreads, and their moral choices, Europe's politicians and influencers prey on public anxieties rambling about "being Islamized" as "the" primary fear. A grotesque oversimplification to distract from the real challenges – bridging divides, building institutions and communities, and forging a truly equitable, redistributive social order – which must be transnational to be viable. Instead, humanity is left with carcasses of neoliberal globalization: societies toughened by inequality, hollowed-out democracies, failed policies, and wealthy elites freely evading social responsibilities. Not surprisingly, public spheres have become vulnerable to incohesive social interaction, and audiences easily swayed by fundamentalist rhetorics on being and belonging.

KEYWORDS: Myth of return. International order and disorder. Besieged law. Western fundamentalism. Interrupted democracies.

[1] In memoriam Professor Miloš Kaláb (1920-1994), champion of Sociology during, before and after the Prague Spring

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[3] President Lula da Silva's address to the United Nations' general assembly, Sep 2025.

RESUMO:

No Ocidente, forças antidemocráticas atualmente se empenham em "subjugar instituições, sufocar liberdades, cultuar a violência, exaltar a ignorância, restringir a imprensa, agir como milícias físicas e digitais". Entrementes na Europa, aplastados pelo peso de suas dúvidas, seus temores e suas escolhas morais, políticos e influenciadores exploram populações angustiadas divagando acerca de "islamização" como se esta representasse um perigo essencial. Nada além de grotesca simplificação arte feita para desviar atenção dos verdadeiros desafios: superar divisões, construir instituições e comunidades, forjar uma ordem social verdadeiramente equitativa e redistributiva – que para ser viável precisa ser transnacional. Ao invés, tudo quanto a humanidade se depara são cadáveres de globalização neoliberal: sociedades endurecidas pela desigualdade, democracias esgotadas, sistemas políticos falidos, elites autorizadas a evadir-se de suas responsabilidades sociais. Não admira a vulnerabilidade das esferas públicas a interações sociais incoerentes e a facilidade com que as audiências são sugestionadas por retóricas fundamentalistas acerca de ser e pertencer.

PALAVRAS-CHAVE: Mito do retorno. Ordem e desordem internacional. Direito sitiado. Fundamentalismo ocidental. Democracias interrompidas.

"You may try to change the world but bear in mind that it doesn't understand plans; the world only understands surprises." Luiz Carlos Maciel (1938-2017)

1. ENCORE THE MYTH OF RETURN

"Whenever in crisis society instinctively turns the eyes toward its origins in search of an sign." Octavio Paz (1914-1998)

Suddenly, a money handler devenu think-tanker started musing on Canada being "recalcitrant", China and Brazil "hostile" [4] as the United States and likable countries weaponize tariff agreements to "change the economics of world trade and revolutionize global politics" (Froman 2025). Next, one is lectured on the demise of the existing world order – the West's 'operating system' – and its institutions rebuked as "nests of subversion of Western civilization" set out to harass leaders who dare to thwart the caprices of the "Global Left." Sophistry then comes full circle with the promise of a resurrected Old-World Order, unregulated as in late 19th century to "increase human happiness a great deal more" than the moribund system's "fetishization of free trade and free immigration."[5]

However, this assumed "new" – literally a reemergence of state-driven accumulation of national wealth and power – operating system contrived by nations banding together for simultaneous operations is (comparable to certain medications, for example non-steroidal anti-inflammatory drugs) unlikely to have any effect on elementary causes such as 'endemic uncertainty' (Bauman 2007), a pervasive condition progressively affecting social action deprived of longstanding anchors, a structure grounded on:

- *Separation of power* (formerly available to modern states but "now moving away to the politically uncontrolled global and in many ways extraterritorial space"), *politics and democratic institutions* "stripped of effective tools" to counterattack unreachable elites and roving capital;
- *Uncertainty individualised and privatised* because (differently from when risks were pooled collectively via public, state-sanctioned insurances against individual failure) actors/players now must be 'free choosers' and bear full responsibility for outcomes in markets deprived of safety nets;
- *Negative globalization* (which generates 'human waste', masses of people discarded in harmful disposal sites, breeding insecurity, conflict, and violence) *and deregulation,* flexibilization, precarious labour, disposable bonds and relationships.

[4] Two countries ready "to become examples of self-sufficiency in the Global South," President XI Jinping, *Folha de S. Paulo*, Aug 12, 2025.
[5] Welcome to the Old-World Order! *The Bear's Lair*, Aug 4, 2025.

All the same, it took less than a week for the promise of a "more sustainable order" brought about "through coalitions of like-minded partners," to be redeemed, however restrictedly.

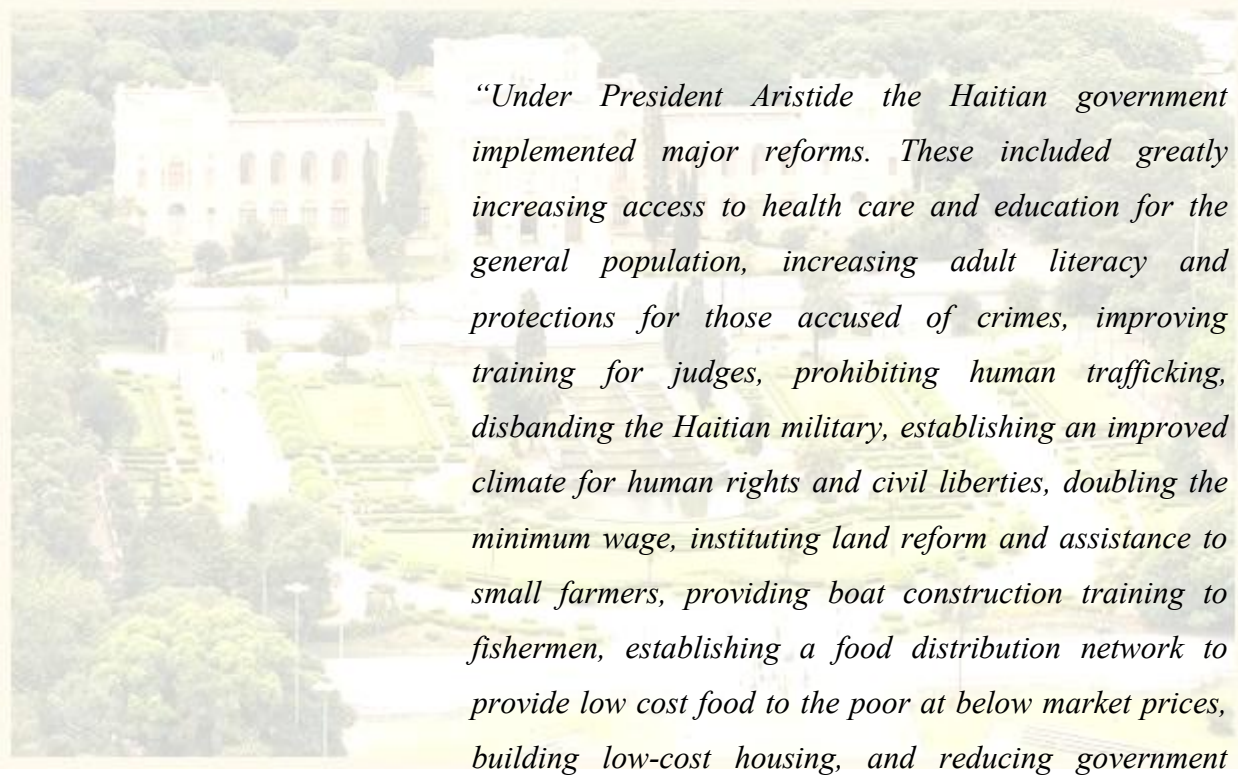
> *"It took Donald Trump six days to build a new world… [His] taboo-shattering behaviour has left the West in no doubt that the norms of the ['liberal peace' based on the spread of democracy, economic interdependence and international institutions] have been swept aside – 'a rupture, not a transition,' in the stark words of Canadian Prime Minister Mark Carney. In its place: a more brutal, more lawless arena, where the loudest and strongest wins … It's a new reality that was created. A reality that is very often volatile."* [6]

So volatile that such a 'transactional' order (freed from the democratic mode of legitimation anchored in civil society, the political public sphere, and modern citizenship) is hardly a reality apart from selected "practical implications." Namely, more room for negotiation provided the interests of other nations do not directly conflict with those of a rogue supremacist and fundamentalist "new America", against whose interference the "best defense" is "internal resilience," namely, stability and strength that does not provoke, i.e., "strength that makes interference unprofitable."[7]

On their part, disenchanted scholars have always reprehended the false professions of integrative safety nets, those self-referential normative structures such as international morality and law concocted to allegedly regulate conflict and "to come to rescue when the stability of institutionalized first-order expectations is in danger" (Habermas 1996: 73). The truth is, however, that the "rules-based order", the operating system uphold by consent has never been "as principled as it claimed to be," so that "hypocrisy often concealed injustice as much as it constrained power"; a "paradox" that "limited power even as it enabled it", simply because "raw dominance is harder to sustain than a flawed order that others once had reason to believe in." [8]

[6] "Europe's 'new reality': The week that transatlantic ties came undone," *CNN World*, Jan 24, 2026.
[7] Fyodor Lukyanov. Here's how Russia should deal with Trump's new America, *RT Live*, Jan 17, 2026.
[8] Matias Spektor. The world will come to miss Western hypocrisy. An overtly transactional order spells trouble for everyone, *Foreign Affairs*, Jan 29, 2026

Suffice to remember, in amongst innumerable examples, that under the rules-based order President Jean-Bertrand Aristide of Haiti in 2003 requested France to pay over US$21 billion in reparations for having extorted (through French and American armed forces and banks [9]) his country for two centuries after independence. *Ipso facto*, in a typical fashion France requested United States' assistance and – as revealed in 2022 by the French ambassador to Haiti – both countries "effectively orchestrated" a coup. [10] Forced to step down, Aristide went to exile and was kept abroad by foreign military occupation [11] determined by the UN, manned and funded (even if inadvertently) by Lula's Brazil. In the meantime, Gerard Latortue, an interim prime minister singled out in preference, promptly rescinded Aristide's impertinent reparations demand.



"Under President Aristide the Haitian government implemented major reforms. These included greatly increasing access to health care and education for the general population, increasing adult literacy and protections for those accused of crimes, improving training for judges, prohibiting human trafficking, disbanding the Haitian military, establishing an improved climate for human rights and civil liberties, doubling the minimum wage, instituting land reform and assistance to small farmers, providing boat construction training to fishermen, establishing a food distribution network to provide low cost food to the poor at below market prices, building low-cost housing, and reducing government corruption." [12]

The disreputable rape of Haiti emphatically displays how imperialist working partners, in order to shape the outcomes which best suit them, now and then, here and there continually have used tools from either a global framework-based system (currently dubbed

[9] In 1914, for instance, U.S. Marines oversaw the transfer of Haitian gold reserves to the National City Bank of New York (then Citibank) purportedly to secure American interests.
[10] "Demanding reparations and ending up in exile," *The New York Times*, May 20, 2022.
[11] "An indispensable tool in realizing core U.S. government policy interests in Haiti," U.S. Embassy Port Au Prince (Subject: Why we need continuing Minustah presence in Haiti), *WikiLeaks*, Oct 1, 2008.
[12] Stephen Lendman. Achievements under Aristide, now lost, *ZNet*, Dec 16, 2005.

'sclerotic' by politicians and academics),[13] or a state-centric they call 'rupture' formed through straightforward cooperation of 'willing democratic governments', generally in name of virtues, principles, beliefs that have been betrayed by their immediate predecessors, and in name of return to an earlier tradition and fundamental purposes to provide stability and continuity.

The myth of a return to an earlier time has always been the hallmark of European revolutions: "Luther also preached a return to early Christianity following its betrayal by the papacy. The English Puritans under Cromwell preached a restoration of 'ancient English liberties' after one hundred and fifty years of Tudor despotism. The French revolution went back to classical antiquity and state of nature to combat feudalism and aristocratic privilege. The Russian Bolsheviks preached a return to the classless society of primitive tribes before the dawn of property." (Berman 1983: 15-16)

2. IMMIGRATION: DEMAGOGUERY AND THE LAW

Once understood as *la raison d'être* of Western glory, free immigration is now tendentiously labelled a "fetish" whenever immigrants reveal they want to become citizens in countries of settlement[14]. Their intentions are not self-contradictory nor contested everywhere, as shown by a series of projects funded not long ago by the European Commission. At the time, the idea was to understand differences in engaging or discussing immigration and alien integration in seven Western European countries[15] diverse institutionally and varied in number and in nature of "their" immigrants. A rather pertinent venture considering that human mobility is not always approached from a broader perspective and employing sufficiently tested theories.

At first glance, the 'Som Project' seemed to be just a mixed bag of quantitative and qualitative techniques focused on content analysis of newspapers over a relatively short period (2009-2012). The intention was to understand the 'politicization' of immigration through measuring 'political claims' on the subject in the media per sampled day and annually, avowedly "to describe long term trends". It also meant evaluating 'polarization' according to a 5-point scale in which relevant political claims displayed positions either

[13] Nadia Schadlow. The globalist delusion. Why America must build a new operating system, *Foreign Affairs*, Mar/Apr 2026
[14] Fleeing Africa to safety, then labelled as an 'infiltrator' in Israel, *CNN*, Feb 13, 2018.
[15] Austria, Belgium, Britain, Ireland, the Netherlands, Spain, and Switzerland.

favorable or hostile towards immigrants. In and of itself, by closing in on ethical aspects of migration and ethnicity, the project undoubtedly ascertained with scientific rigor the merits of cross-national comparison – deemed indispensable already by the classics from Émile Durkheim to Georg Simmel.

On comparison, however, the Som Project went much further. Instead of focusing on just one context or comparing two or three locales, it extended the focus bringing forth fresh perspectives on human mobility expressed through key political topics that had increasingly become the axis of dispute in election campaigns. On this aspect, a few very encouraging results were provided – even though subsequently the EU illegitimately chose to seal off discourse on free immigration mostly by evoking "the right of every person in our Union to feel safe in their own streets and their own home." (European Commission 2020):

- In all countries studied, politicization was a mixture of political leadership/initiative and circumstances providing opportunities to influence;
- Salience and polarization of immigration and integration were not clearly related to influx of immigrants, share of foreign-born residents, policy responses, or the state of the economy;
- There was no systematic relationship between the number of immigrants in a country, or of those entering, and the extent to which the issue was politicized;
- Immigration did not automatically become politicized once there were many immigrants;
- There were substantial fluctuations over time, but countries where party politics was ruled by two large parties tended to be the most polarized;
- Radical right parties were not the main political claimant, and at the other end of the spectrum, immigrant actors and organizations played virtually no role in the politicization of the issue;
- All countries studied experienced peaks of politicization at different points of time;
- Immigration was a more contested issue in certain countries than others.

Over a decade, domestic views on the issue did not change radically, but the European Commission's standpoint on immigration did, now defined by a dual approach (European Asylum and Migration Strategy 2026–2030) designed to make illegal migration

"unviable", essentially by "moving borders south". Concretely, through extremely risky and expensive *mano dura* policies on prohibited arrivals and failed asylum seekers. Procedures operated through 'return hubs' in "safe" non-EU countries, away from Bruxelles, Berlin, Paris or Rome, a 'buffer zone' across the Mediterranean where fast-track measures are applied against African migrants in Egypt (much praised by the Commission), Tunisia (funds overhauled after reports of human rights abuses by security forces) and even in Mauritania (to process and return West African migrants before they ever reach European waters), Morocco and Algeria.

"Externalization of borders", however, is currently challenged by human rights groups and national courts in the European Court of Justice, which on one occasion involving Italy's designation of Egypt/Bangladesh as 'safe' countries, ruled out that a country can only be considered as "safe" if it is also safe for its entire population in its own territory. On another circumstance, the Court decided that Tunisia and Colombia cannot be on the 'safe' list because of systematic persecution of specific groups of their citizens (e.g., LGBTQ+ individuals, political dissidents or community leaders). Notable example of resistance is also human rights groups arguing against the Commission's 2026 Asylum Procedure Regulation, a legislative bypass framed to allow "territorial and group-based exceptions," but in violation of the EU Charter of Fundamental Rights.

The notorious 'Return Hub' model – sending rejected migrants to a third country – is being fought in the Rome Court of Appeal and the ECJ. In November 2025, judges referred to a case to the ECJ questioning whether the EU has the exclusive competence to sign such deals. Human rights lawyers argued that Italy (and by extension the EU) cannot "export" its jurisdiction to a non-EU country without losing the ability to guarantee the right to fair trial and the right to effective remedy (Article 47 of the Charter). Moreover, since the Italian government repurposed Albania facilities as "repatriation centers", Amnesty International has brought challenges based on ECHR Article 3 (prohibition of torture and inhuman treatment), arguing that long-term detention of people in these hubs amounts to "arbitrary and punitive detention."

And as if it was not enough, the principle of not returning someone to a country where they face danger – 'non-refoulement' principle – is currently challenged by lawyers who argue that by providing funds and technology to countries to stop migrants, the EU is complicit in "chain refoulement, such as the case of Mauritania pushing migrants back into the Sahara, imperiling their lives even further. Then there is June 12, 2026, the date the new

Migration Pact becomes fully applicable, so human rights groups are filing cases to get the ECJ to pause certain provisions before they go live – if ECJ rules that 'Safe Country' exceptions are illegal *after* the Pact starts, the entire EU migration system could be thrown into a state of legal chaos, effectively halting deportations across the Union.

3. LIQUID WESTERN FUNDAMENTALISM

Sealing off discourse on free immigration and reduce it to "thought-terminating clichés" grounded on cognitive shortcuts fitting new experiences into familiar, consensus-creating categories (Schütz), is a hallmark of *Western fundamentalism*. Every form of discourse essential for arriving at genuine solutions is thus sealed off expressly to organize power and repressive systems (Deleuze). Elements diuturnal exposed to a "specifically modern form of religion" (Bauman 1998), even though, some claim, not 'true' religion" with "a strict Calvinist God who demands a high level of morality, encourages a strong work ethic, and promotes social discipline." (Todd 2025)

More precisely, specifically modern religion is a "morbid symptom" (Gramsci) inflicting rulers and ruled distraught by "a spiritual pain, a spiritual thirst, a yearning for something more exalted, for a firm shore, a motherland in which [they] ceased to believe..." (Dostoevsky), both swallowed up in a world plagued with uncertainty, violence, and stagnation. Hence a zero in on adversaries' "fetishes", while taking no notice of that in the first place "something else must always happen with the social structure" (Bauman), an apophasis or allusion to something by denying that it will be mentioned, for "hierarchical systems of material and symbolic power" (Bourdieu), decisive for understanding how differences and inequalities are created, sustained and legitimized in subtle, unconscious ways.

As a structuring element, religion must be viewed quite distinctly from the rather naïve sociology of Bauman's period of time, when it used to be considered just as a "cultural phenomenon" no longer "part of the pattern-maintenance system"[16], compelled to retreat into its own "relevant structure" – that is, "the collective organization of religious

[16] *Societal patterns* are values (conceptions), norms (convictions), and societal models of conduct maintained through 'socialization subsystems' (families, schools, media, associations, political parties, churches) in position to articulate experiences and appropriate our "internal nature to create subjects capable of speaking and acting" (Habermas 1976).

orientations, e.g., churches or prophetic movements" (Parsons 1977: 194). At the same time primacy of control was taken on by Science, Ethics, and Law, whose structuring elements had supposedly "gained differentiation" from religion.

> *"[...] in the Western world since the Reformation for most nations [religious uniformity has] become increasingly problematical [...] The establishment of the American republic constituted a major step in this process through the institutionalization of the separation of Church and State [away from "the famous formula of the Peace of Westphalia, euis regio euis religio – your realm your religion"]. In the nineteenth and part of the twentieth centuries there were important attempts to identify ethnicity and nationality with race. The most sensational and disturbing was the attempt of German Nazism to purify the 'Aryan' composition of the German people [...] By contrast the Jews were also alleged to constitute a distinctive race, and the cultural characteristics of both groups were held to be derivable from their racial natures. This particular set of views, however, has lost ground most conspicuously." (idem 382-383)*

Ground arguably "lost" because – always according to Parsons – the core sphere from which differentiated social systems evolve toward fulfilment, namely the 'societal community', developed into a 'civil society' freed from even "the encompassing framework of the capitalist economy" (the 'bourgeois civil society', with which it was still fused in Hegel's concept wholly assimilated by Marx) (Habermas 1996: 75), therefor fit to take full responsibility for the integration of society. Integration here as a function specific of law and the legal system – that is to say, establish and maintain interdependence, source of consensus, control and social coercion – which most authors used to consider in the same way Max Weber did in the distant past. That is, by privileging the legal ways in which domination – now *legale Herrschaft* – and power are exercised through statutes and autonomous judiciaries.

Here, in due course it is Habermas who noticed that in "Weber we find a specifically German view of government by law, a view quite comfortable with the elitism of political parties" (*idem* p. 73), whereas with Parsons – Habermas proceeds – things are unmitigatedly different: the constitutional state is considered from the perspective of *constitutionalizing political power* to promote "the democratic mode of legitimation anchored in civil society, the political public sphere and the modern citizenship." Entirely diverse from the gullible views shared by a substantial number of authors accustomed to approach society while attributing a passive role to social structure, whilst social actors/players (individuals, groups, institutions, nations etc.) impulsively become "reflective," disdain "old habits and customs," change their beliefs, practices and organizations, "decouple" relationships from the local context and "restructure" them in remote events with "absent" actors, far from "any face-to-face relationship." Not surprisingly

> *"Most situations in modern life are clearly incompatible with religion, whose cosmology is supplanted by knowledge organized in a reflective manner, governed by empirical observation and logical thought. Religion and tradition have always walked hand in hand, the latter even more undermined than the former by the reflexivity that directly opposes it." (Giddens 1990)*

Subsequently, however, the same author appears more reflective himself and perceives religion increasingly "reemerging" as everyday life and "existential questions" drift apart because modern life had plunged actors indiscriminately into a "moral void" and forced them to seek explanations rather than wait for help from socialization subsystems. A rather propitious combination of circumstances for religion and spirituality to step in and fill the void of understanding by compensating the "repression" so far imposed to those denied of empowerment. Newly invested with an incorporated power, actors begin to address intricate ethical, moral, economic and political questions afresh from the point of view of atypical states of consciousness. A fortuitous sort of ascension which supposedly enabled them to build their own islands of certainty, practices and paradigms that are endorsed in primeval sacred books and confirmed by one-dimensional representations of chosen peoples' values, commands, and narratives.

Self-made superstructures that sanction strained discourse and its depreciation to "thought-terminating clichés", in tandem with reproduction of misunderstandings, confusion and impediment of consensus, and resistance to solutions which require sacrifice of privileges, cohesive responses to problems, and realistic evaluation of alternatives available. Bauman himself identified constructions of such a kind within Western societies' unrelenting, much in the same way he previously (1968) had recognized the demise of Soviet socialism, attributed to disbelief in leaders "not just stupid or corrupt but incapable" to function in the collective interest and to acknowledge the positive impact and transformative worth of markets and technologies.

Later, still on the right track Bauman also recognized the deterioration of the "rich complexity and differentiation" of human production and its depreciation to "binary categories": *like-dislike, right-left, right-wrong, truth-fiction, us-them, loyal-traitor* (2016)[17]. However, just as previously he didn't grasp the crucial role increasingly played by citizen involvement in the deliberation, designing, implementation and oversight of public policies, including in "the management of public affairs in the sphere of the superstructure." (Wang 1991:166)[18]

> *"What remains is to reconcile people's inner worlds. But it seems difficult to reconcile people's inner worlds, because the rationalization of what is irrational is constantly and quietly suppressing people's minds, and this process will intensify with the development of modern science and technology. This will be a difficult problem for Western society for a long time." (idem, p. 241)*

4. SIMULACRA OF JUSTICE

English law was an infant when a man accused another one of raping and drowning his younger sister. Not surprisingly, the culprit, most likely of good ancestry,

[17] "In a world built from binary – black and white, truth and illusion – we march forward without knowing where we are going. This is not just religion, nor just ritual. It is the performance of authority in a society that no longer believes in singular truths" (David Szauder, *Instagran*, Aug 31, 2025).
[18] https://ia801806.us.archive.org/12/items/america-against-america/America%20Against%20America.pdf

pleaded innocence and showed readiness to back up his claims at the cost of his own life. Taking off one of his gloves he threw it down to the ground and called for trail by combat — that is, his life against the accuser's. Tradition was that had the suspect been the victor he would be acquitted immediately. The plaintiff refused to weigh things in that way and argued that such an appeal was absurd, but the judges thought differently. Due process as understood at the time ran its course, and the defendant was acquitted as expected.

That same and odd tradition still holds strong in the Anglosphere, where judges insist on deciding by choosing up the party which best presented its case. A posture consistently at odds with truth, showing little engagement with 'law in the books' and seen positively as a feature that gives common law a "malleability which civil law lacks, precisely because the former supposedly responds more readily to the swiftness of financial markets." (Flood 2007: 47)

> *"The advantage of common law is a freedom to build contracts that stand on their own without codes lurking in the background. Civil law contracts are just a few pages long, while English and American agreements run hundreds and even thousands of pages. Nothing is left to external confirmation: either it's in contract or it does not exist. A common law contract creates a system of private order that invokes the State only symbolically, with less distinct presence when it comes to concrete conduct. Contracts mean privatization of law, precisely the great advantage of the Anglo-North American system and its operators, which is why they are so successful in the international sphere. Contracts allow the normative system to build its own foundation; law becomes a matter of instrumentality and not of fidelity to a jurisdiction, of which there are only two in global financial practice: the principalities of London and New York, cities emblematic for their legal, financial, and cultural power and authority." (idem p. 48)*

Legal "instrumentality", *nota bene*, that has virtually collapsed during the 2007-2008 crisis when hundreds of billions, possibly trillions of dollars of public money poured without any "state interference" (positive law) to rescue banks and large corporations from the consequences of marketisation, unfettered enterprise, and delusional dreams of contractual freedom (Scuro 2019: 187). All the same, there are in civil law countries academic experts who insist to pay to common law's mode of reasoning a warm tribute, as if it could be a 'heterarchical' system' "without vertex or center" (Luhmann), with "neither hierarchy nor substance" (Boaventura Santos), allegedly because no one can claim to be "the exclusive manager of the entire society."[19] Decisions unfolded—they illegitimately clinch—in a "sequential plurality" within contexts of "deregulation and relegalization" in the sense of "normativity emanating from different forms of contract."

Imageries that are, as in Alice's world, "all but a dream", nothing but magical pretense insinuated into real life, in a blend of vivacity and emptiness in which nothing is the same for a long time (Douglas-Fairhurst 2015). On the other hand, the search for truth is an aim not subject to the interests of neither defense nor prosecution. In that regard, a defendant's admission of guilt is not sufficiently admissible; confession is not "absolute evidence", but just one amid several means of proof. As in the case of 'plea bargaining', a practice whose aim is not to unveil truth but simply to interrupt due process in an extremely irregular manner, to shorten or dispense with it altogether.

Interruption occurring nowadays in many parts of the civil law world, generating deep legal and political controversies, resulting in error and injustice because defendants are pressured to plead guilty thus waiving their right to due process thereby creating a profound gulf between legal practice and theory.

> *"A recent study of different procedural systems around the world showed that since 1990 the use of such procedures had increased by 300%, along with the risk of abuse and violations of rights. In Russia, the occurrence of plea bargaining jumped from 37% of criminal cases in 2008 to*

[19] Actually, as a result of juridification of potentially all social relationships, "modern law can stabilise behavioural expectations in a complex with structurally differentiated lifeworlds [background knowledge, self-directed contexts of unmediated certainty] and functionally independent subsystems *only if law, as regent for a 'societal community'* that has transformed itself into civil society, can maintain the inherited claim to solidarity in the abstract form of an acceptable claim to legitimacy (Habermas 1996:76 – the emphasis is mine, PS).

64% in 2014[20]. In the first instance courts of one of China's largest cities, Chongqing, the use of 'summary procedures'— equivalent to dismissing the case — increased from 61% in 2011 to 82% two years later[21]. In South Africa, the use of 'guilt and sentence agreements' rose by a third in 2014-15. In the United States, 97% of criminal cases in federal court are resolved through unregulated plea bargaining between prosecutors and defendants. Nearly half of all miscarriages of justice involve cases where defendants admitted guilt. TV series are full of poignant dramas unfolding in courtrooms, an outdated view of justice in the United States, where even juvenile's incapable of understanding legal consequences are persuaded to plead guilty." (Bowcott 2017)

Criminal justice systems in Germany, Brazil and Russia, with civil law structure based on the notion that the primary task is to discover substantive truth, higher courts have failed to restrict the meddling of unregulated negotiation. As the practice in the United States, thereby raising cumulative doubts and creating—as in common law countries—a chasm between the theory and practice of due process (Rauxloh 2011). The undeniable reality, even U.S. Supreme Court justices concede, is that plea bargaining is above all "a safety valve, perhaps the only factor that prevents the system from collapsing completely." (Inciardi 1996: 350)

[20] A report from June 2023 noted that in 2022, around 40% of all criminal convictions in Russia were a result of the special court order procedure, where the court does not conduct a full investigation and evaluation of the evidence. This indicates a sustained reliance on these 'summary proceedings.' The prevalence of plea bargaining is often contrasted with Russia's low acquittal rate, which is typically around 0.2% to 0.3% in non-jury trials. The use of the special court order procedure is a key factor in this low acquittal rate.

[21] In China, the high utilization rate of the 'Plea Leniency System' (认罪认罚从宽制度) a quasi-plea-bargaining scheme codified into the Criminal Procedure Law in 2018, provides for leniency for suspects and defendants who plead guilty and accept the prosecutor's recommended sentence. Authorities claim it has been "highly successful" and reportedly applied in 86.8% of all criminal cases in the same year. The primary driver is "judicial efficiency and crime control", as simplified procedures significantly shorten the time for handling cases and reduce the burden on the courts. Hence the shifting of power from police and courts toward prosecutors, who obtain a defendant's admission of guilt and reach an agreement on the sentence even before getting to court, whose role now is simply to "rubber stamp" a confession affidavit.

> *"Without guilty plea negotiation, there would be no solution for the excessive volume of criminal cases in the United States. With current resources, if someone is accused of a crime, serious or not, they will have to wait a quarter of a century for a decision. Negotiation eliminates uncertainty for both prosecution and defense, precluding the possibility of severe punishment even for the most serious crimes. The problem is that excessive negotiation leads to decriminalization of certain offenses—reducing most sentences for drug crimes, for example, to one year or less in prison."*

Still, in many academic quarters there is manifest optimism about these dubious practices, said to have awaken the legal field from the "slumber of dogma," forced jurists and legal practitioners to "face the challenge of unprecedented reflections" (Faria 1999: 331). A key player in this sense has been the U.S. Department of Justice's Criminal Division, through the 'Office of Overseas Prosecutorial Development, Assistance and Training', known as OPDAT. Its mission is to support the struggle against transnational crime and terrorism allegedly by assisting foreign governments to strengthen their own systems. Hence the inauguration of "a new era of far-reaching changes in global legal institutions" created when the Soviet Union collapsed and the infamous 'war on drugs' led by U.S. governments intensified. Not surprisingly the first recipients of those appealing subsidies were Bolivia, Colombia, Haiti, Poland, and Russia.

Incidentally, continuously reactivated by the United States 'war on drugs' has concretely resulted in (1) massive increases in prison population, particularly for nonviolent drug offenses; (2) disproportionate impacts on minority communities due to unequal law enforcement and discriminatory sentencing; (3) failure to curb drug supplies despite decades of efforts and expenditure of billions of dollars; and (4) runup of violence by new criminal procedures prescribed to replace "outdated" inquisitorial legislation, specifically by increasing focus on "high-priority criminal activities", i.e., terrorism, weaponry, drugs, organized crime, and corruption.

Meanwhile, in more than 50 countries the stated objective of OPDAT-like offices was "to improve" the rule of law expressly to guarantee the United States' "national security." Nations "deprived" of such programs would have benefited from the assistance of a so-called 'Institute for Innovative Legal Studies' and from programs aimed at protecting religious freedom, private and industrial property. For that purpose, special attention was given to improvement of foreign prosecutors' investigative skills in matters concerning weapons and equipment that could pose risk to US interests.

Moreover, those wanting to become multipliers of those wonderful new knowledges and capabilities would be introduced to 'train-the-trainer' technics tailored for future students' professional routines learned through courses emphasizing development of legislative frameworks, case study monitoring, and to the preparation of new trainees to handle foreseeable errors and imperfections, so as they can improvise and persist in the pursuit of results. A gargantuan effort that mobilized numerous U.S. government departments, primarily justice and public security, but also diplomats, the American Bar Association, universities, state funding agencies, private donors, and multilateral organizations. Labors considered by major American media outlets as a generous form of assisting foreign institutions to offer "a better life for their citizens." Only in the case of Russia, a "huge two-year undertaking" of that kind costed U.S. taxpayers billions of dollars, funds "spent exclusively on helping Russians overcome the terrible legacy of Soviet communism, which ended in 1991 and brought the country to its knees." (*The Washington Post* May 4, 2015)

> *"From the Americans' perspective, that had nothing to do with conquering Russia, but with saving it without imposing anything other than the tried-and-tested tools of market capitalism and democracy. The United States spent hundreds of millions of dollars making Russia a safe nuclear-free country and a team-worker in the exploration of outer space. It was why they brought in volunteers that donated innumerable hours of jury trials instructions, on how to build a free press, to design stock markets, to run political campaigns, and so many other ingredients of a prosperous and open society. Americans came with the best of intentions."*

Suddenly, with the 2007-2008 crisis Russians became disenchanted. Their honeymoon with 'the market' brusquely ended when the U.S. president, against the biddings of Congress, vainly tried to rescue banks and large corporations from the consequences of market fundamentalism. Then, ungrateful "Russians seemingly convinced themselves — in the words of their president, the same previously so convinced of the praiseworthy intentions of Norte American benefactors — that the United States only loves us when we are poor and not have a chip on our shoulder. As soon as we assert our interests and are willing to defend them, we immediately become a problem of geopolitical rivalry." (*The Moscow Times* March 26, 2015)

5. JUDICIAL EXCEPTIONALISM

For common law mavericks the biggest hurdle to changing criminal law and justice systems is the "traditional state monopoly strongly centralized and consolidated in civil law regimes" (Willemsens and Walgrave 2007: 494). Regimes in which a "legality principle" prevails forcing e.g., police "to inform public prosecutors about all cases" and those "to refer cases to court if there is sufficient evidence." Quite different in common law regimes – we are told – where "all agents (the police, prosecuting agencies, judges) are given the opportunity to exercise broad discretionary powers to act in the public interest' and to impose measures which they feel more appropriate." Enough intelligence to conclude that whereas the former focuses on abstract even unworldly judicial rules, common law is more 'flexible,' closer "to the reality of public life and to the attitudes of the community. Never mind the latter's risks of populist disillusionment with law and weak legal safeguards to which we pointed out earlier on.

It is no surprise the tacit agreement of considerable number of experts on Russia's justice system engendering serious complaints and conundrums of 'corruption' and 'unreliability'. Problems whose irrecusable origins are state-centrality and inquisitorial procedures including officials' prominent role in contrast to parties' virtually inexistent margin of decision, and witnesses' cross-examination given almost no importance at all. Reasons on which not only learned observers agreed, but also extensive sections of the population as the "terrible legacy of Soviet communism." Defects such as prosecutors' "disproportionate" powers, accused with virtually no rights, jury trials approached as *terra*

incognita, very low rate of acquittals – all characteristic of a system of criminal justice whose "aim was to protect the interests of the state, not individuals." [22]

From then on observers have grown more cautious. Low rates of acquittals per se, they now admit, is no indicator of the accusatorial bias of Russia's criminal justice, currently in line with a handful of non-accusatorial Western systems. By the same token, whilst in the West those rates are deemed to be the result of pre-trial assessment of evidence by prosecutors (using plea-bargaining), in Russia they are obtained under a different internal institutional logic: a significant portion of evidence-gathering still occurs most of the time during a preliminary, non-public investigation phase; information compiled into a *dossier*, a case file that informs the trial. (Solomon 2018)

Moreover, by extolling the potential virtues of common law rudiments transferred to Russia, experts fail to notice the virtual paralysis of that system of justice. Particularly in the United States, where if "someone is accused of a crime, serious or not, they will wait a quarter of a century for a decision" (Inciardi 1996: 350), as said above. Moreover, one should not disregard that U.S. prosecutors have for long lost most confrontations with the accused's lawyers, forcing the Supreme Court to admit that was no alternative except to consent on blame-trading (*Brady versus United States* 1970). In that regard, plea-bargaining functions as a lost resource, a 'escape valve' from an irreversible crisis, "perhaps the only factor that stands between the administration of justice and the utter chaos". Thus, for the system to survive it must deny the accused's constitutional rights, coerces them into accepting plea deals by means of a subterfuge and psychological pressure, abusing suspects' ethical or racial vulnerabilities, young or old age, physical disability, gender, language, or immigrant status. "Hopefully," – concludes the president of International Society of Criminology on the matter – "serious reforms [concerning the Sixth Amendment on the right to effective assistance of counsel] will be introduced especially in the wake of the *Padilla*, *Frye* and *Cooper* decisions of the U.S. Supreme Court."

> *"Since the very credibility and integrity of the American criminal justice system is impacted, it is imperative to radically reform the system in order to diminish or eliminate false confessions, the risks that they present, and the damage that they cause for the innocent defendant.*

[22] Jeffrey Hays. Justice system in Russia, http://factsanddetails.com/russia/Government_Military_Crime/sub9_5e/entry-5198.html, 2008.

Serious and meaningful reforms have been proposed (e.g. videotaping the entire interrogation process, applying consumer protection laws to the process of plea bargaining) and must be introduced to protect the defendants and effectively prevent false confessions and their consequences like wrongful conviction, incarceration and deportation of the innocent. Negotiated justice as it is currently practiced in the United States produces innumerable miscarriages of justice." (Viano 2021)

The number one configuration factor of a system of justice is the extent to which those in government are bound by the constitutional and institutional means that limit and hold agents and officials accountable under the law, including non-governmental checks by free and independent press on state power.[23] Concretely, this involves gathering information on adherence to the rule of law, so as to provide a comprehensive and granular picture of the state of democracy, justice, and accountability in a country and across different countries. Yet, several criticisms were raised, notably by the late Joseph Raz: the WJP index qualifies only substantive outcomes – 'Fundamental Rights' and 'Absence of Corruption' – as core components of the rule of law, whereas the focus should be on whether laws are clear, public, and followed. By electing human rights and social justice, rather than the rule of law itself, the index just measures 'Liberal Democracy' or 'Good Governance' and makes it hard to tell a country with a clear but harsh legal system from another that is purely a 'good' place to live. It is therefore no surprise that the justice systems of countries under siege are placed at the bottom of the listing – e.g., Venezuela (143th), (Haiti 140th) or Russia (119th) – while Germany (6th), France (22th) and United States (27th) sit comfortably at the top.

Further reservations are raised on views conditioned by Western-centered cultural and ideological biases that assume liberal principles as universally binding, and squeeze into a straitjacket the rule of law notion unrelatedly to the fact that legal validity critically depends on a society's '*conscience collective*' ("*l'ensemble des croyances, valeurs, normes et sentiments communs partagés par les membres d'une société*"), its 'collective soul' that functions as a superior moral force, external to individuals but ensuring social cohesion

[23] World Justice Project (https://worldjusticeproject.org), an international civil society organization that works "to advance the rule of law around the world" and produces a quantitative assessment tool showing the extent to which in practice countries adhere to the rule of law (https://worldjusticeproject.org/rule-of-law-index).

and solidarity. To handle such difficulties, sociologists have tried, specifically in the case of besieged countries, to approach their justice systems on their uniqueness or originality, so to be "judged on their own terms."[24]

A "commonly unheeded" aspect, for example, of Russia's system of justice, whose "historical development has been so jerky and turbulent" (Kurkchiyan and Kubal 2018: 3); undoubtedly because "every period of Russian history has been marked by drastic social change, often indeed by a full-scale revolutionary transition with a pronounced intention to break away from the dominant traits of whatever has come before." Hence the non-mythical, learned conclusion that "in such an environment of conflicting legacies it is admittedly quite difficult to arrive at a clear picture of any coherent legal tradition."

The envisaged choice is for an "in-depth empirical focus," ostensibly to uncover "a unique legal culture that is significant and complete in itself." A sort of strategy contrived by "*transcending the normative assessment* typical of the rule of law approach*"* (the emphasis is mine, PS) explicitly "to capture the everyday reality of Russian life, with all its instinctual practices and subtleties." Professedly a choice so unregulated as the one taken in desperation by the U.S. Supreme Court when it felt obliged to accept the use of plea bargaining, an unconstitutional practice, in concrete terms a misguided, unreasonable option for a model adjusted to "instinctual practices and subtleties" of societies presumed "without any vertex or center," impossible to understand by a single description of its system of justice (Luhmann 1990, 1992). However

> *"[…] the normal conduct of actors is of prime concern for Law and Sociology; both disciplines of the normative order focused on the social practices and expectations aimed at direct action by establishing distinctions between what is desirable and what is not. This generalized orientation aims to (1) stabilize members' interaction of complex social systems; (2) create and maintain a social order, a "certain type of civilization and citizen," a way of collective life and social relations that serves to "eliminate certain customs and attitudes and disseminate others" (Gramsci)." (Scuro 2004: xvi-xvii)*

[24] Gemini AI search on criticisms of the World Justice Project, March 2026.

Unfortunately, to rule normativity out or simply reduce to "instinctual practices and subtleties" has been a common practice in in societies as Brazil, Russia, and the United States, that have never been the best examples of receptiveness to apparently extraneous experiences. A kind of demeanor typical of certain large countries, lands where the international flow of ideas can play a role but never be a key to unlock rigid indigenous mechanisms. Hence a Mario de Andrade's disconcerting proposition: "It is probable that sometimes one or another of our demonstrations may resemble what happens in Europe, but it is just a coincidence of motives. Our minds are narrowed down to Brazil."

It is absolutely no surprise that even the most skillful researchers can be led astray by the impression of, say, Russia's (Brazil's, the United States') "unique" normativity and legal culture. By 'unique' one means "real life is too complex and messy to be tidily squeezed into the rigid frame of any legal code." Less drastically, one might even conclude that Russian law and justice system are at odds with civil law, the system that influenced legal development in most Western countries and in parts of the East. Hence a familiar – but unconvincing – early authoritative attempt to establish the distinctiveness of Soviet Union's legal development in facets such as (1) the requirements of a Socialist planned economy, (2) the operation of a 'parental' concept of citizen as a child to be guided and moulded as a ward of the state, and (3) the influence of Russian history (Berman 1950). An attempt virtually flawed considering the difficulty to admit, for instance, 'parentalism', a "characteristic element of most totalitarian judicial approaches," as a unique "Soviet legal manifestation." (Arens 1951: 95-97).

Surely, the critique goes on, there is no flaw "in a survey of the history of legal development for proposes of general orientation. However, one is startled to discover an attempt at the description of the 'spirit of Russian law,' [a major mistake emerging from] a misplaced emphasis on the alleged uniqueness or originality of facets of the Soviet legal system". It is therefore not surprising that the supposedly groundbreaking study under review was "analytically inacceptable" even though it had not yet tried to 'transcend normative assessment', as legal sociologists are seemingly doing today. The trouble was defining as "uniquely Russian" even fundamental elements of legal doctrine such as 'analogy' seen as a "revolutionary innovation" of Soviet criminal law, but as a matter of fact "an almost inevitable part of authoritarian criminal legislation since medieval times", officially incorporated, say, "into the so-called 'Carolina' criminal code of the German Reich as early as 1532." (*idem*)

It was no surprise that Talcott Parsons felt himself obligated to remind us – and sociologists still have not heeded – that "the current has been one of resurgence of the significance of 'the law', including *not only the body of norms but also the groups with special responsibilities for their implementation*. It seems to us that this special role of the legal complex operates in part because it can mediate between the normative and cultural order which have become so important to a multifaceted society and the vast compound of especially economic and political complexes which are the primary focus of centrifugal pressures. This is a topic meriting much more sociological attention than it has received." (1977b: 277, the emphasis is mine, PS)

6. CONCLUSION: RATIONALITY OF POWER AND DOMINANCE

Parsons' conception on modern law remains fairly accurate, and has rehabilitated – in contrast to flimsy criticism – the need for adherence to the rule of law[25] – in terms of constraints on government powers, absence of corruption, openness of government (the extent to which states share information, empower people with tools to hold government accountable, foster citizen participation in policy deliberations), fundamental rights, order and security, regulatory enforcement, and civil justice. Parsons' approach is truthful, Habermas has pointed out, because it represents "modern law as a transmission belt by which solidarity – the demanding structure of mutual recognition [retrieved] from face-to-face interaction – is transmitted in abstract but biding form to the anonymous and systematically mediated relationships of a complex society" (1996:76-77).

The point of empirical reference here was T. H. Marshall's analysis of the gradual extension of constitutional rights and of inclusion of citizens as bearers of *civil rights against the state* (against government infringements of life, freedom and property), *rights of political participation* (enabling active citizens to take part in processes of will- and opinion-formation), and *rights of social entitlement* (subsidized healthcare, education, infrastructure, vocational training, and public housing). Trends of citizenship understood as natural consequence of a linear evolution of law according to a "broad trend sociologists designate by 'inclusion' of […] new kinds of civil rights, for which feminist and ecological movements are fighting today." An evolution painstakingly upheld by citizens collectively since the end of

[25] https://worldjusticeproject.org/rule-of-law-index/factors/2022

Second World War all over the world, reluctantly authenticated by states, but at present gradually eroding and at risk of departure.

Erosion and virtual disappearance quantitatively documented in surveys like the WSJ index, and vividly and dramatically observed in the "difficulties and sorrows inflicted on the landless, homeless, lacking food and health care, to the detriment of their rights and primarily the result of poor distribution of goods and income, to anyone's deepest outrage since resources are plentiful and deficiencies [...] made worse by the generalized practice of wastefulness" (Pope Francis 2013). Squander also the outcome of increasingly global challenges such as armed conflicts, climate change, economic sanctions, and successive crises of diverse nature. Crucial circumstances that include persistent and ever more ferocious waves of racism – once denounced by Parsons as "vociferous objections to modern egalitarianism," at present gradually institutionalized and enforced at gunpoint.

Circumstances such as the United States' embargo against Cuba, the most enduring blockade in modern history sprang up from an agrarian reform that dispossessed alien landowners and American organized crime, in a region United States' elites always considered as a their "backyard". Enforced through a 1917 Trading with the Enemy Act avowedly to prevent U.S. businesses and citizens from trading with Cuba, but with wide-reaching and extremely serious global repercussions. It has faced international criticism, since 1992 United Nations' formal condemnations, but the reality is that, despite its recurring threats and divergences over immigration, counterterrorism, civil and political rights, human rights, electoral interference, disinformation campaigns, humanitarian aid, trade policy, financial claims, fugitive extradition and Cuban foreign policy, the embargo is treated in practice as commonplace.[26]

More recently, Western racial prejudices metamorphosed into policy directed mainly at Arab peoples and nations, such as the case with 'Obama Doctrine' and its essential element – 'leading from behind' – in stark contrast to Colin Powell's previous image of US military action preceded by efforts using every available means of "advancing our national interest". The doctrine was triggered in the combined offensive against Muammar Gaddafi's Libya, "the sole Arab country with compulsory free education for boys and girls alike, free health care and housing for all," [27] privileges that most Western nations never had. Denied of justice and prosperity, Libya submerged into disaster that brought about not only the illegal

[26] The Bay of Pigs invasion and its aftermath, April 1961- October 1962. *Office of the Historian, Foreign Service Institute*, Sep 2024.
[27] Pedro Scuro. On Kamala Harris and Skin Colour, *Pluralia* Sep 12, 2024.

immigration crisis now plaguing Europe but also the metastasis of *fundamentalist* movements all over the continent. It has been also successfully applied by involving Ukraine and Russia in a war not belonging to them but to those who want the ruin of both nations. Even so, under Donald Trump the Obama Doctrine "now seems more like an echo of a bygone time."

Having in mind the increasingly challenges of legitimating venturesome foreign policies – in fact, differently from massive 90% support of the American people for the offensives against Libya and Iraq, less than 30% backed the February 2026 aggression against Iran – our essay closes by showing how social action is regularly and commandingly organized in the modern world today. For that matter we should focus not so much on individuals or nations, but on processes of *mutual recognition* in direct interaction, something we carried out before (Scuro 2002), adjusted to present context and always following the steps taken since the beginning of last century.

Starting with the *problem of rationality* ("what is the reason for?") as framed by the positivist model of considering eminently *practical* aspects of action: what *legitimate* social patterns are and how can they be justified? As when a doctor treats patients to restore their health even without having a clear and precise or even the faintest notion of the subjective feeling of well-being of the people under their care. The same as concerning the 'rational' action of judges, police officers or politicians, whose objectives – impossible to be validated (proof) and comprehended (cognition) by those submitted to them –, explained from a practical, simple, and immediate point of view, are nothing but "*essentially irrational*" (Scuro 2002: 119).

Quite true because from an existential perspective of individual freedom, responsibility, and concern in the face of a seemingly meaningless world, actors/players are confronted with the power and domination of self-directed bodies' [28] imposing patterns subject to their exclusive interpretation in a society devised as a vast organism whose parts should perform functions in an orderly manner. Which means that we are faced with a *rationalization of power and domination* combined with consensus-building through "the prevalence of morality by obedience to rules" that constitute the basic guidelines for our relations and daily life (Bauman 1994:5).

It would be pointless to reproduce the previous discussion, so in the name of conciseness we must now directly state how grand macrostructures of society (e.g., Justice, the State, Political Parties, the Economy, Technology) sustain themselves by coming to grips

[28] Mimicking natural processes scientists designated living beings as *autopoietic* systems with capacity to reproduce themselves (Maturana et alli. 1997).

with the problem of rationality, not strictly through deductions (conclusion from premises, disabled if denied or falsified), but intuition, direct linkage of mind and object. Suffice it to say, the primary task of contemporary law is no longer the "search for the real truth," currently considered risky and senseless by judges and seasoned lawyers (Scuro *idem*, 135-8).

The reason is that law and justice, regarded as social subsystems[29] increasingly face ever more complex social problems, but since their performance invariably unsatisfactory their 'technical' answer, in the name of rationalizing power and domination, is that the system needs 'reforms': simplifying processes, modernizing administration, acquiring more vehicles, more weapons, more computers, more prisons, hiring more public servants, appointing more judges, increasing their salaries and fringe benefits – as complained recently by a Brazilian lady magistrate about the lack of subsidized lunch for her and her members of staff.

Reforms that do not solve nor have the intention of solving social problems, but only to alleviate the burden on members of institutions whose function is to guarantee the rule of law. This function, in fact, would be to coordinate and control the components of action aimed at establishing and maintaining interdependence, a source of consensus, social control, and oversight. The actions of system players, in turn, are a mixture of good intentions, corporate interests, zeal for jurisdiction and career, etc., motives with which they intend to reconcile facts with the law, always considering the influence they exert on each other, especially when in the physical presence of colleagues.

A scheme simultaneously bureaucratic and negotiable that works under a dome of morality and the assumption that no one stands out in name of personal beliefs, convictions, or affections; everyone obeys the commands they receive, thereby absolving themselves responsibility for the effects of their actions or omissions on the objects (casualties') of systemic activity. Indulgence characteristic of the way sub-systemic institutions – from families to the justice system, through states, political parties, and corporations – exonerate their members' faults and wrongdoings, freeing them from real, constant, and imminent risks (Scuro *idem*, 122-3). An order of things, *les mots et les choses* that sporadically trigger nihilistic yet truthful reactions, as in Enrique Discépolo's tango song composed in 1935.

[29] Scuro 2019: 125-7: "Ação social e propriedades sistêmicas."

"*That the world was and always be crap/ I already knew/ In 1510 and in the two-thousands too/ That there has always be thieves/ The cunning and the deceived/ Happy ones and those embittered/ Values and double-dealings/ Immorality has made us all the same/ That the 20th century is a display of insolent wickedness/ No one can deny/ We live all mixed up in a meringue/ All manipulated in the same sludge/* https://www.youtube.com/watch?v=iptZcYmcGUM

To approach from an interactionist perspective is equivalent to making *aesthetic descriptions* primarily, in much the same way how performers on a stage seek, in front of an audience, to present themselves in a certain light, as specific characters, *personas* expecting explicit reactions from others. Consequently, although our actions largely concern moral issues, as personas displaying a public image distinguished from our inner selves, as interpreters we are just *merchants of morality*. In such circumstances our present-day societies offer basically just two courses of action: one that depends on empathy, personal experiences, and emotional memory. The player/influencer performs on consciousness to delude spectators by manipulating their emotions and affections,[30] making them accomplices in a plot as straightforward as possible, entirely predictable for all intents and purposes.

The other course of action 'influencers' strive to engage members of audiences through narratives fit enough to convert them into "observers" who not emphasize events nor the debates sparked by these – as in the 'epic' form of classical theatre where plays are structured to arise the spectator's critical capacity. Here, on the contrary, the aim is just to create a certain image of reality – more than often exacerbated to provoke reflection, argumentation, and understanding of a kind that the spectator does not participate in the situation nor takes time to understand the Other's circumstances. From this perspective, it's not difficult to understand why most so-called 'democratic' societies and institutions fail to guarantee constitutional rights to their citizens, particularly their inclusion as bearers of civil rights against government infringements on life, liberty, and property. This is why

[30] Even under "the illusion of choosing and determining the course of our actions, when acting by will we are just a part of multiple sources of affections and affects" – dispositions, mental or bodily states commonly related to a feeling or type of love and affections (experience or feeling of emotion) (Kinoshita 2021).

contemporary societies are nothing more than *interrupted democracies*, the subject of our incoming inquiries.

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