

# Challenges to Democracy

## Session 6: Democratic Backsliding

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## Plan for today's session

1. distribution of groups for podcast project
2. role play on how democracies could die
3. input and discussion on "How Democracies Die" (Bermeo 2016; Levitsky and Ziblatt 2018)
4. feedback on the seminar

## Last session

Last week,

- we developed ideas for the podcast project
- we discussed different data sources to analyse democracies

## Groups for podcast project

Do you know your group already?

- random distribution?
- interest-based distribution?

## Role play

How to subvert a democracy? Let's do a small role play.

There are five roles:

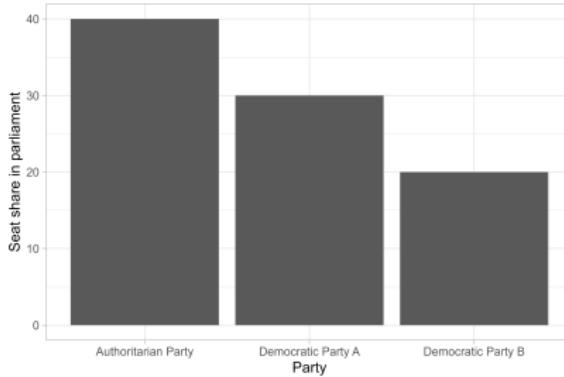
- the people
- democratic parties
- the authoritarian newcomer
- institutional checks and balances
- international actors

## Role play



The people are dissatisfied and raise their concerns.<sup>1</sup>

## Role play



The (shocking) results just came in; the authoritarian party won the election. The democratic parties try to find some common ground for a coalition. How does the new authoritarian party react?

## Role play

One of the democratic parties bowed down and forms a coalition as junior partner with the authoritarian newcomer. What does the newcomer do?

## Role play

The court reacts to the new autocrat. What does it do? How does the newcomer react?

## Role play

Finally, the international partners are unhappy. What's their core message? How does the autocrat react?

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<sup>1</sup>GPT-1 image prompt: Create an infographic visualizing an economic crisis.

# Democratic Backsliding: what does it mean?

*In your own words, what does democratic backsliding mean?*

## Towards clarity...

Backsliding is a multifaceted process whose outcomes range from erosion of democratic quality to full-scale destruction of democratic institutions.

In this sense, “[d]emocratic backsliding is the weakening or disassembling of a given set of democratic institutions” (Bermeo 2016, p. 16)

**Which forms of backsliding exist?**

## Different types of backsliding

Bermeo (2016) identifies six different versions of backsliding.

1. **Coups d'état:** illegal attempts by non-legitimate actors to take over executive control
2. **executive coups:** (democratically) elected head of government abolishes democratic constitution
3. **election fraud:** wanna-be autocrats manipulate electoral results on the day of elections
4. **promissory coups:** often justified with emergencies or (ironically) the state of democracy, executives promise to give back power to people but fail to do so

## Different types of backsliding

5. **executive aggrandizement:** at the expense of checks and balances, executive gradually dissolves checks and balances and weakens other partial regimes of democracy; follows legal frameworks; democracy beaten by its own safeguards
6. **strategic election manipulation:** weakening of opposition, suppressing media freedom, so that elections lose their fair appeal

# On the way to power

*When does democratic backsliding start?*

## On the way to power

- authoritarian leaders convince the people and important part of the elite to give them power
- sometimes, this occurs “with the intention of deepening rather than destroying democracy” (Bermeo 2016, p. 16)

*Why do (democratic) elites ally with authoritarians?*

## On the way to power

- they may not have strong democratic norms
- there's a gridlock (no clear majorities)
- times of crises (e.g. economic crises)

**Question by Theo:** How can political actors navigate between legitimate reforms and creeping authoritarianism without violating national sovereignty and becoming politically active themselves?

## Challenging democracy

How authoritarians subvert democracy can be exemplified by a soccer game (Levitsky and Ziblatt 2018, pp. 72–96), in which authoritarians...

1. ...manipulate referees
2. ...tackle key players
3. ...rewrite the rules of the game

# Challenging democracy

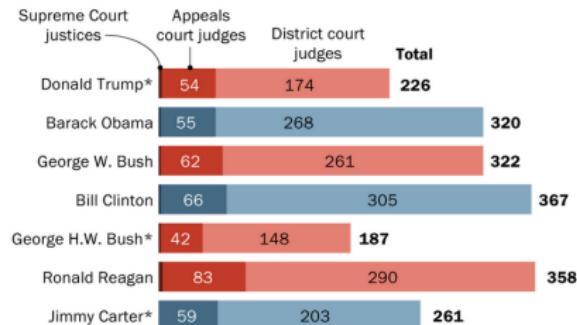
For step 1, **manipulating referees**:

- authoritarians usually try to bring courts or other independent agencies (like the police) into line
- e.g., by filling them with loyalists

# Challenging democracy

**Trump appointed nearly as many federal appeals court judges as Obama – in half the time**

*Federal judges appointed by each president*



\*Served one term.

Note: Excludes judges confirmed to certain specialized or territorial courts. Judges confirmed to multiple positions, such as those first appointed to a district court and later elevated to an appeals court, are counted separately for each position, but only once in each president's total.

Source: Pew Research Center analysis of Federal Judicial Center data.

PEW RESEARCH CENTER

Figure: Number of judges nominated by US presidents (graph by Pew Research)

## Challenging democracy

For step 2, **tackling key players**:

- autocrats try to weaken opponents (like the opposition, critical media or business people)
- weakening their potential to organize
- bribing them
- arresting them by opening legal cases against them

## Challenging democracy

For step 3, **rewriting the rules of the game**:

- critical step to ensure enduring power
- rewriting rules of the game (e.g. constitution, electoral system)

# Challenging democracy

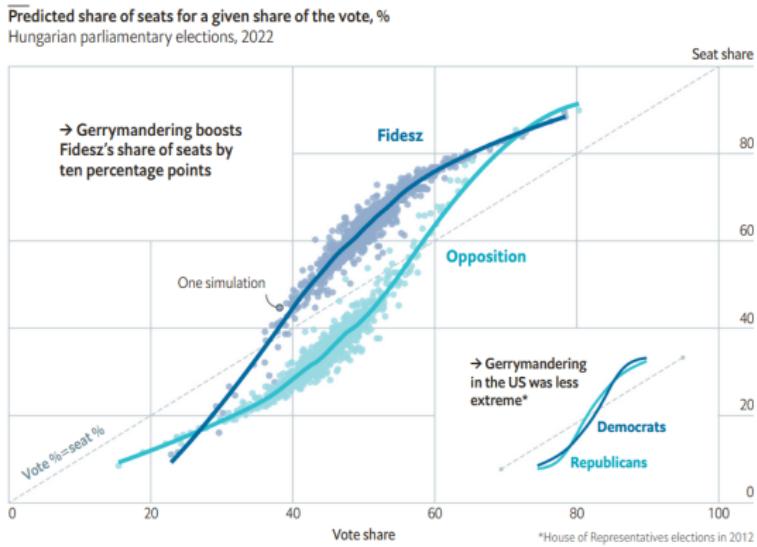


Figure: How Fidesz reformed the electoral system to cater it to their needs ([The Economist](#))

## Challenging democracy

According to Levitsky and Ziblatt (2018), which rules give particularly good opportunities for backsliding?

## Challenging democracy

“Constitutional rules are always subject to competing interpretations” (Levitsky and Ziblatt 2018, p. 99)

- **formal** institutions are often written down in primary or secondary legislation
- **informal** norms are rather conventions (accepted and enforced by society)
- informal norms can prevent exploiting of constitutional powers (e.g. norms of mutual toleration, forbearance and reciprocity)
- among them are the following
  1. presidential decrees
  2. presidential pardon

# Challenging democracy

3. court packing
4. filibuster
5. Senate's advice and consent (e.g. for nominations of cabinet and judges)
6. impeachment

## What to do against it?

Identifying authoritarians in the first place...

- some are overtly anti-democratic
- those who are not could reveal themselves as threats to democracy if they...
  1. reject democratic norms
  2. do not consider their opponents as legitimate
  3. accept undemocratic behaviour
  4. support anti-democratic policies

## What to do against it?

**Political parties** take a crucial role as 'gatekeepers' preventing autocrats from gaining prominence.

*But why do they seem to fail?*

## What to do against it?

- the more selection procedures are closed, the less democratic they are
- the more parties open them, the less control they have over the nomination of upright characters
- they may prioritize policy/vote-seeking over democratic procedures

**Question by Theo:** How can democracies be designed so that protection against authoritarian outsiders does not depend solely on the gatekeeping function of political elites?

## What to do against it?

Other strategies to protect democracy include...

- advertising for revival of informal norms
- forming broad coalitions among democrats
- formalizing informal norms

# Why is gradual backsliding so dangerous?

“There are no tanks in the streets. Constitutions and other nominally democratic institutions remain in place. People still vote. Elected autocrats maintain a veneer of democracy while eviscerating it in substance.” (Levitsky and Ziblatt 2018, p. 5)

## Why is gradual backsliding so dangerous?

Bermeo (2016) identifies several potential reasons why the current form of backsliding might be that dangerous and difficult to stop.

- more difficult to detect; gap in research on reverse trends in transition research
- tougher to challenge by supporters of democracy
- relatedly, mobilization against it is challenging as often supported by majorities (or at least a large number of the population); the same applies to international sanctions

*Could there be something uplifting in it?*

# Why is gradual backsliding so dangerous?

For proponents of the new forms in backsliding, there's always the risk that democracy has a revival.

## Conclusion

What we have learned from today...

- How different processes can lead to the same outcome: democratic backsliding
- What's specific about current forms of backsliding, and what makes it so compelling for autocrats

## To prepare for next week...

- in the next week, we'll move to the demand-side
- (how) does the far-right pose a threat to democracy
- **readings:**
  - Dipoppa, G., Grossman, G., & Zonszein, S. (2023). Locked Down, Lashing Out: COVID-19 Effects on Asian Hate Crimes in Italy. *The Journal of Politics*, 85(2), 389–404.  
<https://doi.org/10.1086/722346>
  - Blasingame, E. N., Boyd, C. L., Carlos, R. F., & Ornstein, J. T. (2024). How the Trump Administration's Quota Policy Transformed Immigration Judging. *American Political Science Review*, 118(4), 1688–1703.  
<https://doi.org/10.1017/S0003055423001028>

Optional: Grumbach, J. M. (2023). Laboratories of Democratic Backsliding. *American Political Science Review*, 117(3), 967–984. <https://doi.org/10.1017/S0003055422000934>

## To prepare for next week...

- Optional: Haas, V. I., Bogatyrev, K., Abou-Chadi, T., Stoetzer, L. F., & Klüver. (2024). *The Electoral Effects of State-Sponsored Homophobia*. <https://violeta-haas.github.io/research/>
- Optional: Mudde, C. (2019, October 25). *The Far Right Today*. John Wiley & Sons

Any further questions?

## Literature

- Bermeo, N. (2016). On Democratic Backsliding. *Journal of Democracy*, 27(1), 5–19.
- Blasingame, E. N., Boyd, C. L., Carlos, R. F., & Ornstein, J. T. (2024). How the Trump Administration's Quota Policy Transformed Immigration Judging. *American Political Science Review*, 118(4), 1688–1703.
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