



# Convergent Evolution in Aspiring Dictatorships: Developing a Generalized Theory of the Strategy Used to Undermine Democratic Development in Middle Hybrid Regimes

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Convergent Evolution in Aspiring Dictatorships:  
Developing a Generalized Theory of the Strategy Used to  
Undermine Democratic Development in Middle Hybrid Regimes

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A Thesis in the Field of International Relations  
for the Degree of Master of Liberal Arts in Extension Studies

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## Abstract

This thesis develops and tests a generalized theory of democratic backsliding. It proposes that only three factors, ethno-nationalist rhetoric, control of the judiciary, and control of the media are both necessary and sufficient for democratic backsliding to occur in hybrid regimes. I argue that an aspiring dictator can come to power in a democracy with ethno-nationalist rhetoric that separates their popular support from their actions and policies, and they can then hold power by controlling the two institutions capable of exposing the gap between their populist rhetoric and their authoritarian actions: the judiciary and the media.

Building on the work of Steven Levitsky and others, I posit aspiring dictators in a variety of cultural and geographic contexts will use the same set of tools to undercut democratic development so they can take and hold power. The reason is that during the third wave of democratization, which began in 1974 but picked up significant momentum after the Cold War, the international community developed similar approaches to promoting and protecting democracy worldwide. Consequently, I argue aspiring dictators independently develop similar strategies to counter these similar efforts in a process analogous to convergent evolution in biology.

After surveying the current literature on hybrid regimes and democratic backsliding, I undertake a plausibility probe to assess the utility of the theory. I look at four case study countries where democratic backsliding occurred with a high variance in geography, history, and culture: Hungary under Viktor Orbán, Venezuela under Hugo

Chávez, Sri Lanka under Mahinda Rajapaksa, and Turkey under Recep Erdoğan. The case studies examine how each of the countries used these three factors—ethno-nationalist rhetoric, control of the judiciary, and control of the media—to enable an authoritarian-minded leader to take and hold power. It also considers other potential variables that contributed to each aspiring dictator’s success, concluding that they are either not necessary or not sufficient.

The results of the study are promising. No conclusions can be drawn due to the sample size and how the case studies were selected, but the process in each of the cases support the theory; in all four countries the leader came to power with ethno-nationalist rhetoric and then moved to control the judiciary and the media, especially when their popularity was threatened. The next step in developing this theory would be a large-N quantitative study combined with additional case studies to further examine whether these three factors are both necessary and sufficient, or whether other factors either can, or must, replace or supplement them.

A parsimonious theory on democratic backsliding that can be generalized across a broad number of countries would be useful to both activists and governments interested in promoting democracy. It could help early identification of countries at a high risk for democratic backsliding, help focus limited resources on the most critical institutions for preventing backsliding, and help preserve hard-won democratic gains around the world.

## Dedication

To my wife, Melissa Honigstein, whose support and love has made this thesis,  
and all the good things in my life, possible.

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## Chapter I.

### Introduction to Research

Scholars have tracked three waves of democratization in the modern era (Huntington, 1991). Huntington, one of the first scholars who described these waves, explained that the third wave of democratization started in 1974, but began to accelerate rapidly in 1989 at the end of the Cold War. During the 1990s, the number of democracies in the world tripled, and by the end of the decade over half of all countries were classified as democratic (Freedom House, 2020). Extensive research into how and why democratic waves occur has taken place for decades, even predating Huntington's coinage of the term "waves" (Gunitsky, 2014). However, as Seva Gunitsky (2014) noted, despite all of this research, "the presence of democratic waves has often been noted, but not easily explained" (p. 561).

Huntington described the first wave of democratization as lasting nearly a century, from the 1820s to 1926. The second wave was much shorter, lasting from 1942 to 1962. In both cases, Huntington points out that the waves of democratization were followed by "major reverse waves" (Huntington, 1991, p. 17). Today, there is a growing consensus that the third wave of democratization ended sometime near the end of the first decade of the twentieth century, with indexes such as V-Dem and Freedom House showing fifteen years of decline in the overall freedom in the world (V-Dem, Freedom House)

Like the previous waves and reverse waves, the causes for the third wave and its reverse are still being debated. However, as early as the late the 1990s, scholars noted that many of the new democracies in the third wave still retained some characteristics of autocracies, and that these characteristics created vulnerabilities for fledgling democracies. At first, scholars and practitioners believed that these governments were in transition to full democracies, and that the remaining autocratic characteristics were only artifacts of the past authoritarianism that would soon be gone. Therefore, efforts focused on aiding the completion of the transition (Morlino, 2009). By the end of the 1990s, however, there was a growing realization that many of these governments were “hybrid regimes” with a stable mix of democratic and autocratic characteristics and were not necessarily moving towards full democracies, or back towards full autocracies (Zakaria, 1997).

### Hybrid Regimes

The category of hybrid regime covers a broad spectrum between full democracies and full autocracies. Some hybrid regimes are simply autocracies with a few trappings of democracy, what Levitsky & Way (2002) called “competitive authoritarian” regimes, while others are essentially full democracies in need of some specific institutional reforms. However, the majority of hybrid regimes fall in a middle ground (Gilbert & Mohseni, 2011) where they have successfully established the full range of democratic institutions, but these institutions remain vulnerable or controlled in some way (Collier & Levitsky, 1997). In this thesis, I focus on understanding the process of democratic backsliding in these “middle hybrid regimes.”

Democratic backsliding across this governance spectrum has received more attention over the past few years, but much of that work has focused on the threats to democratic institutions in fully developed democracies. While backsliding in full democracies is undoubtedly a cause for alarm, the threat to these middle hybrid regimes has also grown and is arguably more acute. The largest number of backsliding regimes in the current wave reversal can be attributed to middle hybrid regimes moving towards competitive authoritarianism (Freedom House, 2020).

This paper focuses on the processes for democratic backsliding in hybrid regimes. There are several reasons for this choice. First, the lack of strong institutions to prevent backsliding means that they are likely to move along the democratic spectrum more easily than full democracies, with actions taken by aspiring dictators having a more immediate and apparent effect on democratic development. This can create a richer and more accessible data set that is useful as the starting point for developing a more generalized theory. Second, from a more practical perspective, it is important to understand the democratic backsliding process in these middle hybrid regimes because their weak institutions mean they also face the most immediate, often short-term, threat to their level of democratic development. Finally, because—by definition—democratic institutions still exist to some degree in middle hybrid regimes, there are greater opportunities for those wishing to promote democracy than in a fully authoritarian regime, as civil society and the international community can provide assistance to and help strengthen weak but existing institutions more easily than building these institutions from scratch. In other words, democratic backsliding tends to be faster and more obvious in middle hybrid regimes than full democracies, but the lack of autocratic consolidation

means there is a better chance to move them up the democratic spectrum than in places where the regimes are already competitive, or full, authoritarian regimes.

### Prospects for a Generalized Theory

Much of the work in studying recent democratic backsliding has focused on identifying threats to democratic institutions on a case-by-case basis, often using comparative case studies. Scholars, most notably Steven Levitsky and his partners, have identified a long list of tactics and strategies used by various autocratic-minded leaders, including control of the free press, control of the judiciary, using state institutions to punish opposition, control of electoral bodies, and many more (Böcskei, 2016; Corrales & Hidalgo, 2013; Levitsky & Ziblatt, 2018a; Levitsky & Ziblatt, 2018b; Mazepus et al., 2016; Sezal & Sezal, 2018). While the scholars in these cases discuss how the conditions in the countries they are studying could be generalized, they do not attempt to create a comprehensive, generalized theory.

This thesis builds on the work of these scholars and seeks to begin to lay the groundwork for the development of a generalized theory on the mechanics of reversing democratic development in middle hybrid regimes. A generalized theory would need to narrow the tactics and strategies of autocratic minded leaders down to the fewest number that are both necessary and sufficient to stop or reverse democratic development, and the theory would need to be applicable to almost all cases of democratic backsliding in countries with a middle hybrid regime.

Creating a widely-accepted, new, comprehensive, and generalized theory on democratic backsliding in middle hybrid countries will require a tremendous amount of research and testing through a variety of qualitative and quantitative studies. This thesis is

a first step in that direction and could form a theoretical foundation for that effort. Once established, a generalized theory on democratic backsliding in middle hybrid regimes possibly could be developed into a theory that applies to all regime types, although that would require even more academic work.

To be useful, a generalized theory would have to be consistent and parsimonious. That means that all aspiring dictators in middle hybrid regimes, no matter the geographic, economic, cultural or religious context, are using essentially the same core strategies to achieve their aims. These core strategies would be consistent even if the specific tactics employed as part of their strategies vary by context. Furthermore, the presence of additional strategies would not invalidate the theory, if those additional strategies used to undermine democracies in their country are not actually necessary to achieve their goals. In fact, aspiring dictators are likely to do more than the bare minimum needed to retain power, making a parsimonious theory even more difficult to develop.

### Convergent Evolution

Underlying the premise of a generalized theory is that aspiring dictators will end up using the same strategies across the globe, whether or not they are aware of what other aspiring dictators have done. It would be difficult to prove that aspiring dictators have studied backsliding democracies, but fortunately it is also unnecessary. Aspiring dictators in middle hybrid regimes can come up with the same set of strategies independently, often through trial and error, in a process similar to what is called “convergent evolution” in biology.

Biologists define convergent evolution as the pattern of similar characteristics developing in unrelated organisms, with no contact or common lineage, often in response



to similar conditions (Stayton, 2015). In other words, a cactus in Arizona and a cactus in North Africa may have evolved to look nearly identical simply because they were responding to similar conditions.

Similarly, over the past few decades it has become generally accepted that democracy promotion is best done through developing democratic institutions (Olson, 2010), and the democratic institutions that were developed in the third wave tend to be based upon equivalent institutions in the American and European countries that led the process of promoting democracy in the third wave (Huntington, 1991; Olson, 2010). It is not surprising, then, that if a similar approach to democracy promotion leads to similar democratic conditions, then there could be similar reactions to those conditions by aspiring dictators in a wide variety of contexts in a political process that echoes biological convergent evolution.

### The Foundation of a Generalized Theory

Autocrats and promoters of democracy have been involved in a cat-and-mouse game since at least the first wave of democratization, with each side adjusting their tactics in response to tactical changes from the other side in a constant feedback loop. While it may have been possible for a government to establish legitimacy without elections in the past, that is very rare today. As Schendler (2002) points out, virtually every country holds some form of elections. That does not mean, of course, that virtually every country is a democracy. Elections were once the primary factor in determining whether a country is a democracy, but that changed once it was clear that autocrats were frequently using manipulated elections to “ratify” their power in the eyes of the public. (Gandhi, 2015, p. 450). Holding elections creates legitimacy for the government, which

can bring benefits from the international community such as attracting assistance or investors, and domestically they can help the government prevent the opposition from getting support for protests or making other political gains (Roussias & Ruiz-Rufino, 2018).

Attempts to manipulate elections are not new, and election manipulations are as old as elections. One of the earliest forms of electoral manipulation was to limit suffrage to a small group of ruling elites, but formal disenfranchisement is a “very tough ‘sell’” for both domestic and international audiences in today’s world, as even the most “hard-boiled” autocracies usually grant universal suffrage (Schedler, 2002, p. 44).

It became harder to manipulate elections once international election observation became the norm after the end of the Cold War (Roussias, & Ruiz-Rufino, 2018). Election observation increases the cost of manipulating elections and can force government to change their tactics. As a result, autocrats are often forced to abandon or minimize the most obvious manipulations such as ballot stuffing, spurious vote counts, and tampering with voter registries or the registration of candidates (Roussias, & Ruiz-Rufino, 2018).

As election manipulations become more costly and harder, the simplest way to win an election is to rightfully receive the most votes. The challenge for aspiring dictators, then, is to ensure they will continue to win the most votes even as they maintain and expand the ability to exercise power to their own benefit. The first part of that equation is getting the most votes, and I argue that using ethno-nationalistic rhetoric in a form of identity politics is the most reliable way for an aspiring dictator to win the majority of votes without having to commit to policies that will tie their hands and limit

their ability to exercise power as they choose. They need to remain popular even as they do things that might be unpopular in what Bayulgen et al. (2018) refer to as establishing ideological legitimacy, as opposed to performance-based legitimacy. This form of identity politics works because, as Hamilton (2006) explains, people naturally gravitate towards information that fits their existing values and perceptions, even if that information is not true.

For most of the 20th century, communism and other economic or class-based theories were the dominant concepts in identity politics. The end of the Cold War and the discrediting of communism created space for the return to the fore of nationalist identity politics. (Guelke, 2010) It is not that nationalism did not exist in politics before the end of the Cold War, just that the bipolar international system based on economic ideologies, as well as the prioritization of maintaining territorial integrity and governmental stability over meeting ethnic demands in that bipolar system, limited its utility.

After 1989, national identity became one of the easiest and most effective vehicles for appealing to a population's existing values and perceptions. As Morozov (2021) explains, "one of the main rhetorical devices used by the new nationalists: they postulate a particular identity as universal, shared by everyone, and then make claims on behalf of this identity" (p. 438). Morozov goes on to highlight that one of the main innovations of these new nationalists is that in their rhetoric they use the liberal values that have become the international norm to justify their illiberal positions. For example, he notes, they redirect the principles of protecting minority rights towards the majority by claiming their national group, while perhaps the majority in the country, are a minority in the world and therefore threatened by actors both domestic and international that risk the

future of their nationalist group. Morozov (2021) also notes that these new nationalists explain how their demands are shared among the majority, reinforcing a common identity, while avoiding making specific suggestions to resolve those demands. Specificity regarding the resolution of demands invites debates about whether those proposals are effective, as well as accountability for the success of those proposals when implemented, which can lead to disagreement and division. Shared demands as a unifying factor, however, retain their ability to excite a political base and keep it unified for as long as those demands remain outstanding. In this way, aspiring dictators do not resolve the demands of their constituents because it is not in their interest to resolve those demands.

An aspiring dictator may either use identity politics to get into office, or switch to a platform of identity politics once they believe their popularity is waning and they are at risk of losing office. In both cases, my theory states that once in office, the aspiring dictator will silence or discredit any opposing voices by controlling or suppressing the media during a transition to backsliding. The reason for this is straight-forward. If it is in an aspiring dictator's interest to highlight grievances and demands, but not resolve those demands, it is important that their constituents do not know, or do not believe, that the aspiring dictator is intentionally not resolving the demands.

Furthermore, inherent in the concept of democratic backsliding is that the starting point is some form of democracy, even if limited, which must include some independent democratic institutions and some level of popular support for democratic governance. The aspiring dictator must therefore undermine democratic institutions and be able to

exercise autocratic power without the majority knowing, or believing, that they are doing so.

Curd (2018) points out that the information people receive is organized in a “frame of reality” that define how they see the world. He explains that people will initially gravitate towards news sources that reinforce their existing world view, and then make decisions based on that information. Curd asserts that politicians can tell people what they want to hear, promote a fractured media environment, and then discredit or limit access to news sources that would expose their autocratic actions to ensure their constituents do not know, or do not believe, the aspiring dictator is a threat to their democratic institutions. In this way, majoritarian identity politics and control over information sources together can create the space for an aspiring dictator to win over and maintain sufficient popular support to win elections without any further manipulations.

However, there is still one prominent democratic institution which can provide information about a government’s actions that is not subject to popular opinion or accusations of serving a biased opposition: an independent judiciary. Keith (2011) highlights that even Alexis de Tocqueville in *Democracy in America* recognized that judicial review is “one of the most powerful barriers erected against the tyranny of political assemblies” and that many scholars since have emphasized the imperative to have an independent judiciary to serve as a check on the government. (Keith, 2011, p. 114). Keith goes on to review a variety of academic studies that demonstrate that a truly independent judiciary has been shown to be effective at limiting the abuse of government power.

Howard & Carey (2004) go further to show that an independent judiciary is positively associated with political freedom in almost all cases. Even if an aspiring dictator has a large popular mandate and control over the media, it is still difficult to suppress the ability of the court to serve as a check on executive power. As a result, under my theory, I believe a government must intentionally undermine the perceived legitimacy of and/or control the courts as a separate strategy.

While aspiring dictators may utilize a wide variety of tools to seize and hold power, I am proposing a generalized theory that ethno-nationalistic identity politics, controlling the media, and undermining the judiciary is all that is required to transition a democracy to an authoritarian regime.

Table 1. Typical Approaches to Achieving the Three Variables.

Ethno-Nationalist Rhetoric	Control of the Media	Control of the Judiciary
<ul style="list-style-type: none"> <li>• Assert a monopoly on ability to protect the majority group.</li> <li>• Large focus on threat to majority group from minority groups or from members of the international community.</li> <li>• Assert legitimacy by comparison to historical figure.</li> <li>• Argue that being judged for effort to protect majoritarian rights is more important than record</li> </ul>	<ul style="list-style-type: none"> <li>• Violence or threats against journalists, editors, and media owners.</li> <li>• Controlling regulatory body and using excessive fines or licensing withholdings to opposition media.</li> <li>• Withholding of government advertising dollars to opposition media.</li> <li>• Intimidation of private businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring loyal judges can be appointed directly by the ruling party.</li> <li>• Bribing and intimidating judges.</li> <li>• Controlling judicial administration to allow for judges to be promoted or transferred based on loyalty.</li> <li>• Controlling the case assignment process to ensure important cases can be assigned to specific judges.</li> </ul>

<p>of success, typically by highlighting failures of past heroes or efforts to redeem historical failure as a hero.</p>	<p>advertising with opposition media.</p> <ul style="list-style-type: none"> <li>• Buying out of opposition media outlets, often for above-market rates.</li> <li>• Heavy investment in government-aligned media to create a product that can capture large market shares.</li> <li>• Limiting access to opposition media in rural areas, while claiming there is media freedom because they allow opposition media in urban areas where people will often have access to independent media that the government could not limit.</li> </ul>	<ul style="list-style-type: none"> <li>• Amending laws and/or the constitution to limit judicial review of key legislation.</li> </ul>
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### Hypothesis

The hypothesis that follows from this theory is that that virtually all middle-hybrid aspiring dictators must accomplish three key objectives to achieve their goal of gaining autocrat-like powers. First, they must ensure that their support is based on identity, specifically identification with the ethno-national majoritarian group, rather than on ideology or policy positions. Majoritarian identity politics gives these aspiring dictators the flexibility to reliably maintain support from a majority of the population while embracing policies and tactics that help them maintain power but may undermine

the interests of democracy, or even undermine the broader interests of their own majoritarian constituency.

Second, the aspiring dictator must silence public opposition by limiting free speech in the media. This allows the government to manipulate public opinion, hinders the public from fully understanding the threats to democratic governance, creates space for the rulers to convince their followers that limits on democracy are in the people's best interest, prevents credible alternative voices from being able to attract a broad following, and limits the public's ability to coalesce around a unified opposition.

Finally, the aspiring dictator must co-opt or delegitimize the judicial sector. The first two objectives are focused on managing public opinion and maintaining enough support from the majority to maintain power through elections. Undermining the judicial sector allows these aspiring dictators to manage the primary path for exposing threats to democracy and the rule of law outside of public opinion, enables the corruption that can maintain a power base, and further limits the ability of those who oppose the aspiring dictator from establishing credibility for their complaints in the eyes of the public.

In other words, the dependent variable of establishing dictatorial or near-dictatorial powers in a middle hybrid regime, what I call serious democratic backsliding, is achieved through the presence of three independent variables: (a) legitimacy based on identity rather than policy or ideological issues; (b) silencing opposition voices through repression the press; and (c) control over or delegitimization of the judicial system. Furthermore, for my hypothesis to be true, these conditions must be both necessary and sufficient, and therefore no other independent variables need to be present.

Expressed mathematically, the hypothesis can be described as follows:



$a+b+c+x=y$ , where:

a= Ethno-nationalist identity politics;

b=Controlling the media;

c=Controlling or undermining the legitimacy of the judicial sector;

x=Other covariates or unexplained variance; and

y=A significant decrease in the respect of democratic rights and privileges.

For the hypothesis to be true, a, b, and c must have a positive value (necessity), and x does not have a significant effect on the value of y (sufficiency of a, b, and c).

This hypothesis focuses on the essential objectives aspiring dictators must achieve to reach their goal. It is intended to be both specific enough to be falsifiable, and general enough to apply to the widest possible number of cases. Note that under this hypothesis, sequencing—the order the objectives are achieved and whether they are achieved sequentially or in parallel—is based on local conditions. Generally, ethno-nationalistic rhetoric would come first, followed by control of the media and control of the judiciary, but this is not necessary.

### Distinguishing Ends from Means

This hypothesis makes a distinction between means and ends and is concerned with the latter. It states that the objectives, or ends, will be consistent across nearly all aspiring dictators. By contrast, the means are likely to vary greatly based on conditions. For example, the press can be silenced by a variety of means including, *inter alia*, journalist intimidation by security forces, buying out parent companies of opposition press, or using government-controlled media to create serious questions about the credibility of opposition media. In all these cases, the means vary based on what may be

the most expedient, but the end is the same. By focusing on ends, this hypothesis should be able to apply broadly to most middle hybrid regimes, while still providing enough specificity that practitioners can recognize which democratic threats should be prioritized, and which counter-actions would be most effective.

It could be argued that all three of these objectives are simply means to the larger end of backsliding. I am calling them ends in this hypothesis because once the aspiring dictator has accomplished each objective, no subsequent action is needed to make the dependent variable of serious backsliding true.

This “ends” approach varies from much of the existing research, which mixes both means and ends to highlight a wide spectrum of signs that democratic institutions are being undermined. In the current literature, it is more common to either focus on means, or to mix means and ends. For example, in *How Democracies Die*, Levitsky & Ziblatt (2018b) include many examples of past and present means and ends that have been used by aspiring dictators, without making a distinction between the two (see Chapter II for a detailed literature survey).

The risk of mixing means and ends is that it can lead to both false negatives and false positives. A false negative occurs when a specific anti-democratic strategy is being used but is not identified because different tactics are being used. For example, if opposition media is present in a country, or journalists are not under physical threat, that does not prove that the government has not undermined freedom of the press by other less-aggressive means, such as delegitimizing or limiting access to opposition media to the point where the population either does not believe the opposition media or is unaware of what it is saying.

A false positive occurs when a democratic government takes actions that appear similar to actions taken by aspiring dictators but are being done to achieve other objectives. For example, Germany's laws against holocaust denial may on the surface look similar to laws in countries where anti-hate speech laws are used to silence opposition, but in practice have not been used to that effect.

### Backsliding without Aspiring Dictators

Another type of study on democratic backsliding takes a context-based approach that looks for the environmental conditions that are conducive for democratic backsliding and arguing that if these conditions exist it will result in democratic backsliding. In that type of study, neither ends nor means are important as democratic backsliding is an effect of the conditions.

A context-focused study might assert that if corruption reaches a certain level and then there are certain negative economic conditions, this will cause an aspiring dictator to emerge and the democratic backsliding will inevitably occur, with the strategies and tactics being secondary. In this case, in the formula  $a+b+c+x=y$ ,  $x$  must have a positive value related to pre-conditions, while  $a$ ,  $b$ , and  $c$  can equal zero. For example, Oatley (2019) asserts that democratic backsliding often follows economic shocks in democratic countries.

However, even if these pre-conditions are present in every case of democratic backsliding, by their nature they are also present in countries where democratic backsliding does not occur. For example, a global economic shock would affect all democratic countries, with only some of them experiencing serious backsliding. Therefore, including this as a factor in the theory would result in false positives. In fact,

even proponents of these contextual theories, such as Oatley (2019), usually do not assert that they are either necessary or sufficient for democratic backsliding to occur, only that they are a factor that aids the democratic backsliding process. One of the ways I attempted to eliminate context as a variable was by choosing case studies that vary widely in terms of their culture and context.

### Case Studies and Process Tracing

As a first step towards developing a generalized theory, I tested the hypothesis using a process-tracing case study approach that looked at countries whose history, geography, and culture varied widely. My four case studies are Hungary under Viktor Orbán (2010 to the Present), Venezuela under Hugo Chávez (1999-2013), Sri Lanka under Mahinda Rajapaksa (2005-2015), and Turkey under Recep Tayyip Erdoğan (2003-Present).

Each of these countries saw significant democratic declines under these leaders (Kaufmann et al., 2020), and they represent a wide geographic, cultural, and historical range, including four regions (Europe, South America, South Asia, and the Middle East), three different majority religions (Christian, Muslim, and Buddhist), and widely varying histories regarding their experience with democratic governance, including two (Venezuela and Sri Lanka) who argue their democratic roots go back almost 200 years. Comparing countries with similar government types—middle hybrid regimes—and similar experiences with democratic backsliding, but wide variations in religion, geography, culture, and history can help demonstrate how specific cultural contexts or other pre-conditions are not necessarily responsible for democratic backsliding by

themselves, and can show how the hypothesis may be broadly generalizable to the largest number of middle hybrid regimes.

Developing a parsimonious, generalized theory on democratic backsliding would require a tremendous amount of research. This is a qualitative plausibility probe to determine if that additional research is warranted (see Chapter III for more on the research methodology).

### Definition of Terms

Throughout this thesis, I use several key terms for which different definitions may be employed by various researchers. I am using the following definitions for these terms.

**Aspiring Dictator:** This is a political leader that is initially elected democratically, but then seeks to alter democratic norms and undermine democratic institutions to dramatically increase their personal power and secure perpetual rule.

**Competitive Authoritarian Regime:** This regime type features institutions that meet most of the criteria of a democracy (see definition of democracy, below), but some or all of these criteria are violated systematically to the degree that in practice there are few restraints on the government (Levitsky & Way, 2002). In these countries, the public views elections as a legitimate means to change governments, and regular elections are held, but it is difficult—although not impossible—to defeat the ruling party through elections. Competitive authoritarian regimes sit between authoritarian regimes and middle hybrid regimes on the governance spectrum, but the exact boundary between competitive authoritarian regimes and authoritarian regimes is not well defined, nor is the boundary between competitive authoritarian regimes and middle hybrid regimes (Gilbert & Mohseni, 2011; see Figure 1)

Democracy: This paper uses the definition of democracy from Collier & Levitsky (1997), which states that democracies have, at a minimum, four characteristics: 1) free and fair elections, 2) full adult suffrage, 3) respect for civil liberties, and 4) no non-elected people or groups (military, monarch, religious leaders, etc.) with veto power or control over elected representatives. Note that as part of this definition, judicial review does not qualify as non-democratic veto power over elected representatives when there is a professional, independent judiciary.

Hybrid Regime: A government type that has some of the characteristics of a democracy—generally free and fair elections, full adult suffrage, respect for civil liberties, and/or institutions controlled by elected representatives—but there are limits on at least one of those characteristics. This could include, *inter alia*, manipulated elections, legal or *de facto* limits on freedom of speech and assembly, limits on suffrage, or a religious leader that can veto government decisions. Hybrid regimes fall on a broad spectrum in between authoritarian regimes, which do not have any of the four characteristics of democracy, and fully developed democracies that have all four characteristics of a democracy with well-established institutions and without serious limits on those institutions (see Figure 1). There has been a decades-long effort to precisely define the left and right limits of the types of hybrid regimes within this spectrum, specifically where the boundary lies between authoritarian regimes, competitive authoritarian regimes, other hybrid regime types, and democratic regimes, as well as boundaries between sub-types within hybrid and democratic regimes (Gilbert & Mohseni, 2011). This question is still not entirely settled (Bogaards, 2009; Diamond, 2002; Levitsky & Way, 2010; Morgenbesser, 2014; Morlino, 2009).

Ethno-Nationalist Rhetoric: I use this term to describe a specific type of identity-based political rhetoric that seeks to gain support based on shared national identity, and the “rights and entitlements” associated with that identity (Morozov, 2021, p. 435) rather than specific policies. Ethno-nationalist rhetoric, or identity politics, can contain popular policies and specific demands as part of a platform, but it prioritizes recognition of the fact that the demands are shared by an ethnic group over tangible policies that would address that demand (Morozov, 2021). It becomes a positive variable for the purposes of this thesis when it reaches the point where the politician has a monopoly or near-monopoly on ethno-nationalism, presenting themselves as the embodiment of the ethno-nationalist identity, so that support for the identity is the same as support for the politician, and opposition to the politician is opposition to the majority ethno-nationalist group. It is when the political leader echoes the declaration attributed to Louis XIV: “*Je suis l’État.*” In this thesis I will only be discussing identity politics that appeal to a majoritarian group within a country.

Middle Hybrid Regime: This term refers to hybrid regime types that are in the middle of the hybrid regime spectrum, between competitive authoritarian regimes and near-full democracies. This government type typically has a wide range of independent democratic institutions including, *inter alia*, a somewhat free press, opposition parties that have at least limited ability to affect political change, some degree of independence in the judiciary, and elections that are more-or-less free and fair. However, these regimes are not full democracies because their institutions are weak due to either being recently established or because the ruling elite is able to place some constraints on their operation that reduces but does not eliminate their effectiveness. Just as there is no clear boundary

between authoritarian regimes and competitive authoritarian regimes, and between near-full democracies and fully developed democracies, there is no clear boundary between middle hybrid regimes and both competitive authoritarian regimes and near-full democracies within the hybrid regime part of the scale (see Figure 1).

**Near-Full Democracies:** This regime type meets the first two criteria of a democracy: full adult suffrage and free and fair elections. Civil liberties are not always fully enforced in this regime type, but they are also not regularly and systematically violated (Diamond, 2002; Gilbert & Mohseni, 2011). There may be an unelected group that holds veto power over the government, but in practice this veto power is rarely used. The boundary between fully developed democracies and near-full democracies is not clearly defined, nor is the boundary between near-full democracies and middle hybrid regimes. (Gilbert & Mohseni, 2011; see Figure 1).

**Serious Democratic Backsliding:** A democracy that experiences a significant decrease in election legitimacy, voting rights, or respect for civil liberties, or sees the rise of a non-elected person or group that gains either control over elected representatives or a veto on their decisions. What qualifies as significant can be subjective, but generally would apply if the decrease cannot be reversed using the routine democratic processes and institutions established as “guardrails” (Levitsky & Ziblatt, 2018a) within the system.

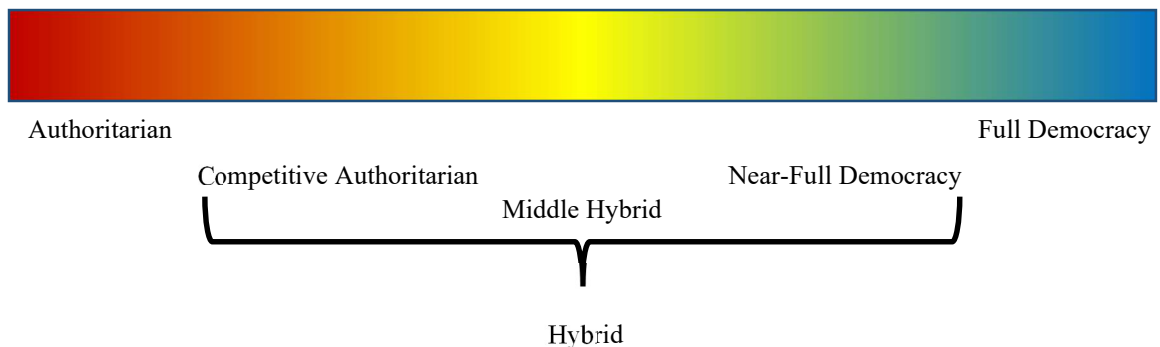


Figure 1: The Governance Spectrum.



## Chapter II.

### Survey of Literature

Ever since the reversal of the third wave of democratization was clearly identified, a lot of attention has been paid to the relatively new phenomenon of serious backsliding in full democracies, particularly in the United States and in Western Europe (Levitsky & Ziblatt, 2018a; Mazepus et al., 2016; Sanchez Urribarri, 2011). This is still an emerging field of study because no full democracy has completely transitioned back to being an unambiguously hybrid regime, let alone an authoritarian regime (Freedom House, 2020). This makes these cases difficult to study, as it is hard to draw conclusions about backsliding full democracies when the end state remains, at least for now, hypothetical.

When the third democratic wave was still advancing, literature on democratic development was largely concerned with hybrid regime types where democracy was, generally, increasing or remaining the same. The first debates over hybrid regimes focused on simply identifying the existence of the new regime type (Collier & Levitsky, 1997; Zakaria, 1997). Once identified, the literature then focused on whether to accept (Levitsky & Way, 2002) or refute (Schedler, 2002) that hybrid regimes were distinct from transitional governments. After it was generally well-accepted that hybrid regimes do exist as a separate category, academics then launched a decades-long effort to precisely define hybrid regimes and the relevant subtypes, a question that is still not

entirely settled (Diamond, 2002; Levitsky & Way, 2010; Morgenbesser, 2014; Morlino, 2009).

### Identifying the Causes and Consequences of Hybrid Regimes

The ongoing debate over defining hybrid regimes is important as a framework for research and discussion and has taken up most of the space in the field of hybrid regime study. Unfortunately, this has left less room for the development of generalized theories that answer Collier & Levitsky's (1997) call for research to go beyond definitions and into the "causes" and "consequences" of hybrid regimes. By far, the most work towards establishing a generalized theory of hybrid regimes has been done by Levitsky, working with Way and other collaborators. Levitsky and his partners have identified many of the commonalities among these hybrid regimes and started the work of generalizing these cases into a theory of how aspiring dictators systematically undermine democratic norms and institutions in order to consolidate power.

More recently, it has been common to use middle hybrid regimes as case studies for understanding democratic backsliding in more fully developed democracies (i.e., Levitsky & Ziblatt, 2018a). However, with the increasing interest in backsliding in full democracies, there is less focus on the distinct conditions and vulnerabilities for middle hybrid regimes.

Because much of the existing research seeks to describe the signs of democratic backsliding, it is typical to combine both means and ends into one category of observable indicators. For example, in *How Democracies Die*, Levitsky & Ziblatt (2018b) describe "behavioral warning signs" (p. 21) alongside the objectives that aspiring dictators must accomplish. The warning signs they list are as follows: a rejection of the democratic

norms; denying the legitimacy of opponents, rather than just disagreeing with their policies; tolerating or encouraging violence; and a willingness to curtail civil liberties. Of these, the first is a broad description of both means and ends, the second a more focused description of one of the possible means for undermining opposition, the third another description of willingness to use certain means, and the fourth can encompass both a means and an end. Levitsky & Ziblatt (2018b) then bring these signs together into a soccer analogy that comes closer to a generalized theory, saying that aspiring dictators often seek to “capture referees” such as courts and rule of law institutions, “sideline” opposition including both press and other political parties, and “rewrite the rules” to expand their power (p. 78). This analogy is generally in line with my hypothesis, although this analogy still contains both means (rewriting the rules) and ends (capture the referees and “sideline” the opposition) on the same list. Mixing means and ends does not create problems in Levitsky & Ziblatt’s (2018b) work because they are seeking to be more descriptive than predictive. Nevertheless, two of the objectives—capture the referees, and sidelining the opposition—could encompass my independent variables of delegitimizing the judiciary (referees) and limiting effectiveness and reach of opposition voices by controlling the media (sidelining the opposition). However, these Levitsky & Ziblatt (2018b) objectives are broader than the variables in my hypothesis. To ensure utility and falsifiability, I am limiting my variables to as narrow a definition as possible while still being true. The third independent variable in my hypothesis, adopting identity politics, is discussed extensively throughout Levitsky & Ziblatt’s book but, unlike in my hypothesis, is never pulled out as an independent variable.

Mazepus et al. (2016) also extensively discuss the importance of identity politics in their case studies of Russia, Venezuela, and Seychelles. They describe how aspiring dictators have used identity politics to establish legitimacy for their rule outside the normal democratic frameworks. Several other studies also look at how identity politics establish the legitimacy needed to create operational space for an aspiring dictator, including Sanchez Urribarri's (2011) look at how identity politics effect rule of law institutions, and Way & Levitsky's (2006) examples of how legitimacy can be leveraged to control security forces, as well as broader discussions of legitimacy and identity politics in Suchman (1995), Tyler (2006), and Von Haldenwaag (2017).

However, these studies do not significantly generalize and are not trying to create a larger, more comprehensive theory on democratic backsliding. Sezal & Sezal (2018) examine how President Erdoğan has undermined democratic development in Turkey using all three of the independent variables in my hypothesis, but they also include additional variables and, like many studies that are more descriptive than prescriptive, mix means and ends.

In "The New Competitive Authoritarianism," Levitsky & Way (2020) revisit their 2010 work on defining competitive authoritarianism and take another step towards developing a more generalized theory on democratic backsliding. Reassessing their previous assertions about how pre-conditions affect democratic development, they note that conditions have become more amenable to autocratic governance in the decade since their last paper, but that, surprisingly, many countries that had the conditions for democratic backsliding remained democratic, while countries that appeared to have the conditions for strengthening democracies backslid. To explain this, they look at variables

that are also part of my hypothesis, including the need for identity politics and control over the media. They also mention the importance of controlling the judiciary, but do not focus on that variable as much as the other two. Levitsky & Way (2020) do not say they are developing a generalized theory on backsliding, but they do make more generalized statements about the process of how aspiring dictators undermine democracies than they have done previously and give a variety of examples regarding how that has been done.

### Eliminating Additional Independent Variables

The three independent variables of my hypothesis – identity politics, controlling the media, and controlling or delegitimizing the judicial system – appear frequently in the study of democratic backsliding. One or more of these three independent variables are included in some form in virtually all the existing studies I found in my research on democratic backsliding. Their inclusion as necessary independent variables in my hypothesis is not a radical proposition.

The controversial aspect of my hypothesis when compared to the existing literature, the part that could be considered new, is the argument that these independent variables are not only necessary but sufficient for democratic backsliding to occur. Sufficiency is much harder to demonstrate than necessity because it is difficult to identify all the variables that are not being measured, especially unobserved, lurking variables. Even so, there are a number of variables that commonly appear in the literature that scholars argue are also necessary for democratic backsliding that I have excluded.

For example, two common variables that are often raised in the context of democratic backsliding that I do not including as necessary variables are election manipulation and a precipitating crisis. The first involves an action taken by an aspiring

dictator, while the second is a pre-existing event that forms the context that the aspiring dictator can exploit.

Not including election manipulation in my hypothesis is perhaps the most controversial omission, as it is a variable included in many studies of democratization. However, as the current literature on hybrid democracies points out, many, if not most, of the aspiring dictators that have taken power since the end of the Cold War have done so in generally free and fair elections. Populism and control of information is more important than election manipulation because, as Levitsky & Way (2020) say, “people like competitive elections, and in particular they value the ability to vote out bad governments” (p. 57). Therefore, aspiring dictators often must find a way to maintain popularity without doing away with elections or needing to resort to election manipulation. As Gilbert & Mohseni (2011) explain, aspiring dictators are now undeterred by the need to hold relatively clean elections as the international standard, as they have already found ways to take and hold power undemocratically while still ensuring generally free and fair elections. Bishop & Hoeffler (2016) also note that the international community has been largely successful in establishing norms and monitoring mechanisms to ensure elections are generally free and fair, at least on the day of the ballot, but this success has not consistently prevented authoritarians from taking power by actions before election day.

Only slightly less controversial in my theory is the fact that I do not include the presence of a precipitating crisis as an independent variable. Levitsky & Ziblatt (2018b) in *How Democracies Die* assert that there is almost always a precipitating crisis, either real or manufactured, that an aspiring dictator uses to undermine democratic institutions.

In fact, all four of my case study countries did, in fact, have a precipitating crisis. Sezal & Sezal (2018) talk about how an economic crisis allowed Erdoğan to take power, and several studies have characterized Viktor Orbán’s rise to power as an aspiring dictator as a reaction to the 2008 financial crisis (Böcskei, 2017). In Sri Lanka, Mahinda Rajapaksa’s election platform was based on the crisis surrounding the long-running civil war, and Sanchez Urribarri (2011) discusses how Hugo Chávez created a crisis with an attempted coup that later set the stage for his legitimate election as president.

The problem with this independent variable is not that it is not frequently present. The problem is that the definition of a crisis can be applied so broadly that it risks making the hypothesis non-falsifiable, especially if it encompasses both man-made and natural crises, as well as real and manufactured crises. It is also not specific to democratic backsliding because there are frequently economic and security crises all over the world that do not lead to a decline in democracy. For example, the 2008 economic shock that Böcskei (2017) cites as one factor in Orbán’s election in Hungary affected virtually every country in the world, but many countries have become more democratic in the same time period (Freedom House, 2020). The issue is not that democratic declines do not follow a crisis, but rather that crises are regular events in every country around the world with or without democratic backsliding. As Pappas (2008) explains, crises exist in many countries, but it is the ones with effective “political entrepreneurs” that end up with mass movements that sweep aspiring dictators into power.

#### Summary of the Literature Survey

Looking at all three independent variables in the hypothesis, there is generally broad support for the idea that controlling the media is necessary to undermine

democracy, and some consensus that rule of law institutions need to be undermined to enable democratic backsliding, although the literature is likely to look at rule of law institutions more broadly than just the judicial sector. (Diamond, 2002; Levitsky & Ziblatt, 2018b; Schedler, 2002). The idea that the shift to identity politics is present in all cases, rather than just some cases, is less commonly cited as a driving factor for democratic backsliding, although several studies surveyed included the concept (Levitsky & Ziblatt, 2018b; Sezal & Sezal, 2018; Suchman, 1995; Tyler, 2006; Von Haldenwaag, 2017).

The most controversial and novel aspect of this hypothesis is the claim that these four objectives are both necessary and sufficient to threaten democracy in middle hybrid regimes. Most of the existing literature adds other objectives that are pursued as part of an attempt to undermine democratic institutions: capitalizing on economic shocks, isolating civil servants, capturing existing political parties, controlling election bodies, etc. Under this hypothesis, these variables may be present, but are not essential.



### Chapter III.

#### Research Methodology and Limitations

My hypothesis is that the dependent variable of serious democratic backsliding towards establishing dictatorial or near-dictatorial powers in a middle hybrid regime is achieved through the presence of three independent variables; (a) legitimacy of rule based on identity rather than policy or ideological issues; (b) silencing opposition voices through repression of freedom of the press; and (c) control over or delegitimization of the judicial system. Furthermore, for my hypothesis to be true, these conditions must be both necessary and sufficient, and no other independent variables need to be present. Therefore, the null hypotheses are either that at least one of these three independent variables will not be present in a case in which there is significant democratic backsliding, or that even when these independent variables are present, there is also an additional independent variable that must be present when significant democratic backsliding occurs. A third null hypothesis is that these three variables will be present, but no significant democratic backsliding occurs.

Because this is a preliminary study, I decided to test the hypothesis using a qualitative, case study approach with process-tracing. Process-tracing for these case studies allowed me to not only identify the presence of the independent and dependent variables, but also investigate how the independent variables interacted to create the dependent variable. This helps go beyond correlation and binary (yes/no) causation to understand the process of causation, creating a stronger research framework that can be

used for subsequent studies that seek to disprove the null hypothesis, expand this hypothesis, or develop an alternative hypothesis using other independent variables.

The procedure for process-tracing involved looking for the presence of the independent variables for each case study, how those independent variables affected the democratic environment, and whether there were other potential independent variables present. This included, *inter alia*, looking at the judiciary, the press, security forces, the political opposition, the civil service, parliaments, civil society, and elections commissions. Where applicable, I described the state of these institutions at the beginning of the regime's administration, and then what happened to them during the regime, if anything, with a focus on explaining how the condition of these institutions may or may not have supported efforts by the leader to undermine these institutions. This not only allowed for the identification of each independent variables' value, but also how they led to or did not lead to the dependent variable. My sources included a mix of peer-reviewed academic literature, news reports, think tank and civil society reports, and governmental and nongovernmental reports.

### Identifying Middle Hybrid Regimes

While this thesis uses a qualitative approach to test the hypothesis, I used quantitative data to help identify the case study countries. This entailed reviewing existing indexes to first identify countries that both meet the definition of middle hybrid regimes, and meet the criteria for significant democratic backsliding.

For the purposes of this study, I defined middle hybrid regimes as regimes that are within the middle range on the spectrum between democracy and authoritarianism in two expert surveys, V-Dem's "Liberal Democracy Index" and Freedom House's "Freedom in

the World” report, as well as in the World Bank’s data aggregator, “World Governance Indicators on Voice and Accountability.”

V-Dem’s Liberal Democracy Index (Coppedge et al., 2020) is a time-series expert survey database that scores all countries from 0 (no democracy) to 1 (perfect democracy). While countries could theoretically receive either a perfect 0 or a perfect 1, in practice scores range from Norway, which received a 0.82, to North Korea, which received a score of 0.01. Like the spectrum of governance (Figure 1), V-Dem explicitly acknowledges that there is overlap in score ranges for various regime types. V-Dem’s definitions of regime types do not align precisely with my definition, but in general a score higher than 0.5 indicates a developed democracy, while hybrid regimes typically fall between 0.5 and 0.3. In terms of degree of backsliding, V-Dem considers a change of 0.05 to be a significant backslide.

The second index, Freedom Houses’ Freedom in the World report (Freedom House, 2020), is another time-series expert survey. This index scores all countries from 7 (Not Free) to 1 (Free). Countries with a score between 3 and 5 are considered Partly Free, the equivalent to my definition of a hybrid regime. A drop of two points is considered significant backsliding.

Finally, World Bank’s World Governance Indicators on Voice and Accountability (Kaufmann et al., 2020) is an aggregate index that includes both expert surveys and quantitative data to establish the degree of civil rights and citizen participation in government. Scores are reported as a standard deviation from -2.5 (least free) to 2.5 (most free), although in practice the range is from -2.2 (North Korea) to 1.7 (Norway).

Middle Hybrid Regimes generally range from -0.5 to 0.5. A drop of 0.5 is considered significant democratic backsliding.

Because this is a preliminary study, I wanted to ensure that I began with countries that had a rich data set and were firmly within the middle hybrid regime part of the spectrum, so I added some selection criteria in addition to the data from these three indexes. First, I looked for case studies where the country in question had at least two elections in their history, before the period being studied, in which the opposition was able to win. This helps distinguish middle hybrid regimes on the low end of the spectrum from competitive authoritarian regimes. It is still possible for the incumbent to lose under a competitive authoritarian regime, but it is supposed to be very unlikely. Therefore, a country with a history in which the incumbent lost in two different elections is a good indicator that beating the ruling regime in an election may still be difficult, but it is not so difficult as to meet the definition of a competitive authoritarian regime.

Distinguishing between middle hybrid regimes and near-full democracies can be more difficult. In a near-full democracy, there are typically only serious issues in the categories that cover civil liberties, and these issues are not be regular or systematic (Diamond, 2002; Gilbert & Mohseni, 2011). In a middle hybrid regime, there are typically violations in all four of the criteria for a democracy—free and fair elections, full adult suffrage, respect for civil liberties, and no un-elected veto power— but those violations are still not serious enough to prevent it from achieving scores that qualify it as at least generally democratic in the major indexes listed above. Therefore, in the three indexes I used for the paper, I considered a country a near-full democracy, rather than a

middle hybrid regime, if it generally had higher scores than other hybrid regimes across all categories, but the lowest score was in civil liberty categories

### Choosing the Richest Case Studies

Once I identified middle hybrid regimes using the criteria listed above, I further narrowed the field using four additional criteria to ensure robust and highly relevant case studies. First, I only used case studies since 1990, after the end of the Cold War. The context and norms for democratic governance changed significantly in 1990, making it difficult to compare democratization trends from the different eras (Collier & Levitsky, 1997; Zakaria, 1997).

Second, I selected case studies in which the same leader was in power for the entire period studied. The same autocratic government can maintain power as a continuous regime even with internal leadership changes, but using the government of one leader helped reduce the number of possible variables affecting democratic backsliding that would be present in a change in leadership, or under different leadership styles.

Third, within the set of middle hybrid regimes led by a single ruler over the study period, I looked for rulers that had held power for at least ten years. The criterion of ruling for at least ten-years is arbitrary, and I am not asserting that aspiring dictators need ten years to achieve their objectives. However, for the purposes of this study using a period of at least ten years under a single ruler ensured the cases had sufficient data. This is particularly important because my independent variables are associated with an aspiring dictator's intended ends, and these ends may not become clear in the first few years of a leader's rule.

Finally, from this narrower set, I selected my four case studies from varying regions, religions, and political-historical contexts. This helped to further control for variables related to context and environment, and strengthens my assertion that the hypothesis may be broadly applicable all around the world.

The four case studies that met all the criteria above and were selected for this thesis are Hungary under Viktor Orbán’s second term (2010 to the Present), Venezuela under Hugo Chávez (1999-2013), Sri Lanka under Mahinda Rajapaksa (2005-2015), and Turkey under Recep Tayyip Erdogan (2003-Present).

Table 1 shows the scores in the three indexes—V-Dem (Coppedge et al., 2020), Freedom House (Freedom House, 2020), and World Bank (Kaufmann et al., 2020)—for each of the case study countries in the year before the leader in question took power and at end of their regime, or in 2020, if the leader is still in power. Numbers in parenthesis are years in power for the leader.

Table 2. Index Scores on Democratic Backsliding for the Selected Case Studies.

	Freedom House		World Bank		V-Dem	
	Before	After	Before	After	Before	After
Hungary (2010-Present)	1	3	0.9	0.3	0.76	0.40
Venezuela (1999-2013)	2.5	5	0.1	-1.0	0.61	0.13
Sri Lanka (2005-2015)	3	5	-0.2	-0.7	0.31	.25
Turkey (2003-Present)	3.5	5.5	-0.2	-0.8	0.49	0.1

Note that for all the case studies in this thesis, I selected on the dependent variable, democratic backsliding. This ensured that my set of four case studies all were able to give insight into the process of democratic backsliding. However, selecting on the dependent variable can create major validity problems, which is why the results of this study are limited to being a preliminary plausibility probe. In this case, George & Bennett (2005) note that in a preliminary study that is attempting to establish primarily a framework for discussion, selecting on the dependent variable is acceptable because it can help identify the richest case studies as a starting point.

There are also validity problems due to the fact that the indexes I am using to define middle hybrid regimes include some of the independent variables within the dataset. For example, all three have freedom of the press, one of the independent variables, as one of the indicators used to create the overall democracy score. This is less of an issue in qualitative studies than quantitative studies, as we are studying processes and underlying causes that tell us more about the variables than simple coding, but it is still an issue to consider. To minimize the validity problems associated with this problem, I only used aggregate indexes that contain a relatively large number of data sets, and I looked for drops in all three indexes.

These two steps should dilute the influence of the individual independent variable on the final score within the overall indexes. This does not completely eliminate the influence of the independent variables within the criteria for selection, and if this were a quantitative study, that fact could introduce collinearity and create critical validity issues. However, in a plausibility probe such as this, there is less of a risk that the validity issues will affect the results, especially since process-tracing was used to further avoid validity

problems (George & Bennett, 2005), but it does mean that no generalizable conclusions should be drawn based solely on this paper.

### Research Limitations

Because this is a plausibility probe, it neither proved the hypothesis nor disproved the null hypothesis. The limited data set and threat to validity described above means the conclusions in this paper are plausible but not generalizable by themselves. However, disproving the null hypothesis for these four case studies opens up the field for further work, including both larger qualitative and larger quantitative studies.

Another limitation of this research is that I cannot identify all of the possible independent variables that might affect democratic backsliding. The hypothesis states that  $a+b+c+x=y$ , and that  $x$  can equal 0. While I showed how the independent variable of democratic backsliding ( $y$ ) and all three of my independent variables ( $a$ ,  $b$ ,  $c$ ) exist in each of the case studies, given the scope of the paper I only identified a few of the almost limitless possible variables that can be represented by  $x$ .

In addition, I studied four non-English speaking countries, but was only able to look at data published in English, or translated by others, as I am not fluent in the native language for any of the four case study countries. This was especially problematic when I used newspaper reports, as I was not able to use native language press as data and could only read the press that was published in English, which may carry a specific bias. However, one fact mitigating this limitation is that native language press is typically censored early in the democratic backsliding context, so it is therefore not necessarily as reliable as international press and/or local English-language press even if it were available to me.



Finally, because of the scope of this study, I did not travel to any of the four countries in the case study.

## Chapter IV.

### Case Studies

The first case study is Hungary under Viktor Orbán (2010-Present). I selected this case because it is a European, Christian country that became a democracy during the third wave of democratization. It is the youngest democracy in this case study, but it also had the highest democratic scores in the benchmark indexes at the beginning of Orbán's rule. In fact, when Orbán was elected for his second run as Prime Minister in 2010, Hungary met most of the definitions of a full democracy. At the time, the primary difference between Hungary and the full democracies was the maturity of the democratic institutions. Hungary had a full range of independent democratic institutions, but qualified as a middle hybrid regime because those institutions had not established the same traditions and roots within Hungarian society as democratic institutions in full democracies. Orbán is also unique in this case study in that he had a previous term as Prime Minister, from 1998-2002, which was not characterized by democratic backsliding (Marantz, 2022). After losing the election in 2002 and a subsequent election in 2006, Orbán returned to power in 2010.

The second case study is Venezuela under Hugo Chávez (1999-2013). Venezuela is a South American, Christian country that had at least some democratic traditions dating back almost two centuries when it achieved independence from Spain. The Venezuela that Chávez took over was a flawed democracy, solidly within the middle hybrid regime

category, but was still a continuous democracy since 1958 (Kaufmann et al., 2020; Sanchez Urribarri, 2011).

The third case study is Sri Lanka under Mahinda Rajapaksa (2005-2015). Sri Lanka is an Asian, majority Buddhist country that has also had some long-standing democratic traditions, dating back over a century to a period of when they had limited Parliamentary self-rule as a British colony in the 19th century. In fact, Sri Lankans claim they are the oldest democracy in Asia (Gunasekara, 2012). Years of civil war and other governance issues had already eroded Sri Lanka's democracy when Mahinda Rajapaksa became president, but he dramatically accelerated the decline (Kaufmann et al., 2020).

Finally, I looked at Turkey under Recep Tayyip Erdoğan. (2003-Present). Turkey is a Middle Eastern country (with ties to Europe) and is predominately Muslim. It also has some democratic traditions dating back a century to its founding following the fall of the Ottoman Empire. Erdoğan's transition from democratic leader to autocrat was more gradual than the other leaders in these case studies. In fact, in his early years he received acclaim for enacting democratic reforms, including ending the undemocratic veto on democratic elections given to the military by the constitution (Esen & Gumuscu, 2016). However, by 2013, it was clear that Erdoğan had abandoned any pretense of democratic reform and was successfully reshaping Turkey into a form of authoritarian government (Sezal & Sezal, 2018).

#### Hungary: From Democratization to Democratic Backsliding

## Ethno-Nationalist Rhetoric: Nationalism Propels Orbán's Return

Viktor Orbán was considered a champion of democracy the first time he was elected as Prime Minister, in 1998, although he had already moved his party from a far-left youth movement to the center right to take advantage of the collapse of the established center-right parties in the mid-nineties (Heller, 2019). Then-President Bill Clinton hailed Orbán as a progressive reformer during a White House visit in his first term as Prime Minister (Marantz, 2022) and at the time of his first election, he was primarily known as a pro-Democracy activist that rose to prominence during the collapse of the Soviet Union.

However, after losing office in the 2002 election, and then losing an election again in 2006, ethno-nationalism became more central to his rhetoric (Rupnik, 2012). As he had done in the nineties moving from the far-left party to the center-right, Orbán showed his willingness to move the party in a new direction in order to regain power. This change was not as dramatic, as Orbán had long included some ethno-nationalism in his rhetoric, including frequently talking about the humiliation of the 1920 Treaty of Trianon, a trauma that was already part of ethno-national identity (Thorpe, 2020). The Treaty of Trianon was a treaty signed following Hungary's defeat in World War I on June 4, 1920 at the Trianon Palace at Versailles, part of the Paris Peace Conference that also produced the Treaty of Versailles. The treaty established the modern borders of Hungary by splitting off the regions of Hungary where Hungarians were the minority, sending Croat and Slovak majority areas to Yugoslavia, Romanian majority areas to Romania, Austrian majority areas to Austria, and Slovak majority areas to Czechoslovakia. Altogether, Hungary lost two-thirds of its territory.

Orbán discussed Trianon during his first term, even suggesting on several occasions that Hungary should try to renegotiate the terms of the treaty, something that irritated his neighbors (Toomey, 2018). However, ahead of the 2010 elections, it became one of his main talking points (Toomey, 2018). At the same time, he also integrated other ethno-national ideas into his rhetoric, including branding his opponents as secret communists and arguing that only he could ensure security and stability of Hungary by preventing the return of the communists to power (Krekó & Enyedi, 2018). This included Orbán publicly drawing comparisons between the largely right-wing anti-government riots in 2006 and the 1956 Hungarian Revolution against the Soviets.

Toomey (2018) discusses in detail how Orbán used historical revision and communal trauma to build support. He notes that all communal traumas are socially-constructed and can be based on events both real and imagined, so it is debatable how much the average Hungarian was carrying that trauma in their everyday life before Orbán made it such a salient feature of his message. Dalibor Rohac (2014) referred to this as Orbán taking advantage of nationalism and selective amnesia.

Once Orbán was re-elected in 2010, he further ramped up his ethno-nationalist identity. He declared an annual National Unity Day that celebrated the unity of the Hungarian people, including those Hungarians left outside the borders of modern Hungary by the Treaty of Trianon, and granted Hungarian citizenship to ethnic Hungarians in lands lost in 1920 (Toomey, 2018). Orbán also turned the 90th anniversary of Trianon into grandiose celebration of the trauma of Trianon (Rupnik 2012).

Starting around 2013, Orbán began to also work to redeem the image of Miklos Horthy, the leader of Hungary between the World Wars and through most of World War

II (Toomey, 2018). Horthy had collaborated with the Nazis, and then towards the end of the war, when he realized Germany was going to lose, Horthy tried to switch to the Allied side and as a result Germany occupied Hungary. However, by cooperating with the Nazis, Horthy was also able to temporarily regain control over some the territory lost to Trianon. Ahead of his 2014 re-election campaign, Orbán began to glorify Horthy, portraying Horthy as a tragic hero who fought to regain lost lands and did whatever he could to forestall a German invasion, even making a deal with them to protect the Hungarian people, and holding out against the Nazis for as long as he could (Toomey, 2018). This effort included Orbán creating a prominent memorial to “all” the victims of the German occupation, emphasizing Hungarian loss over the particular loss of Jewish Hungarians. In the end, Orbán bases his legitimacy on a trauma that can never be healed—Trianon—and a hero who failed—Horthy—so that his ethno-nationalistic demand to restore lost dignity remains true forever and his popularity is not based on success (Toomey, 2018).

In a constant search for fresh enemies, ahead of his next re-election campaign in 2018, Orbán began increasing his focus on billionaire philanthropist Georgie Soros as an existential threat to Hungary. Orbán spent 100 million Euros in the run-up to the 2018 election convincing Hungarians, completely without evidence, that Soros was working to bring millions of African and Asian migrants into Europe (Krekó & Enyedi). Marantz (2022) says the idea to villainize Soros came from Arthur Finkelstein, a political consultant who had worked for Jesse Helms, Strom Thurmond, Richard Nixon, Ronald Reagan, and others. Finkelstein, who reportedly was introduced to Orbán by Benjamin Netanyahu in 2008, was known for emphasizing division and polarization as a path to

political success. He also stressed the need for the enemy to have a face; “One of Finkelstein’s protégés later told the Swiss journalist Hannes Grassegger, ‘Arthur always said that you did not fight against the Nazis but against Adolf Hitler’” (Marantz, 2022).

Orbán weaves all of this together into a coherent ethno-nationalist narrative: that controlling borders, opposing immigration, conserving Hungarian values as he defines them, and preventing outsiders from interfering in Hungarian sovereignty is all necessary to ensure the trauma of Trianon is never repeated (Toomey 2018). Marantz (2022) points out that when Hungary hosted a meeting of the American Conservative Political Action Conference (CPAC) in May 2022, the hosts showed a glossy video of “threats” to Hungary through the millennia, including migrants, Moguls, and drag queens. In this way, many Hungarians, including poor Hungarians who are hurt by Orbán economic policies, believe Orbán is an indispensable protector of Hungary against hordes of immigrants, despite the fact that most of them have never seen an immigrant (Heller, 2019).

When the European Union (EU) began criticizing Orbán for democratic backsliding, the EU was added to the list of threats to Hungary. Orbán has frequently criticized Brussels as a threat to Hungarian sovereignty and an enemy to Hungarian-ness, often comparing decisions from Brussels to dictates from Moscow during the Soviet era (Kornai, 2015). In 2017 alone, the Hungarian government spent more than 250 million Euros of tax-payer funding on billboards, mailings, flyers, and other advertising criticizing Hungary’s “enemies,” which include Soros, and the bureaucrats in Brussels (Krekó & Enyedi, 2018). The population of Hungary was, and remains, overwhelming pro-EU, but the same Hungarians who say they want to remain in the EU also believe

that Orbán is the only “shield” they have against Brussels bureaucrats who are trying to humiliate the Hungarian people (Krekó & Enyedi, 2018).

Heller (2019), Rupnik (2012), Toomey (2018), and others describe the mechanism that Orbán uses to translate his ethno-nationalist message into electoral success. They note that his message is not designed for broad appeal, or to unite. In fact, they point out that he has reignited a century-old “culture-war” between intellectual urbanists and rural populists. Heller (2019) underscores that his messages are only aimed at ethnic Hungarians, and more particularly what he calls “true Hungarians.” True Hungarians are defined by Orbán as Hungarians that support his Fidesz party. In this way, the opposition is not just against Fidesz and Orbán, they are enemies of Hungary; a vote against Fidesz is a vote against the nation of Hungary. Heller (2019) goes on to highlight that Orbán’s message is primarily negative, explaining that he is not trying to get new voters but energizing existing voters, disheartening opposition voters, and narrowing the space for opposing politicians who can easily be branded enemies of the state for opposing Fidesz. Toomey (2018) makes a similar argument, and adds that Orbán has also been able to use his ethno-nationalist rhetoric to absorb the support from the far-right, without alienating those who are otherwise against far-right extremists.

Krekó & Enyedi (2018) underscore that Orbán’s approach is working. In 2018, he achieved his second highest vote share ever, 49%, despite rising criticism of his undemocratic policies at home and abroad and ongoing economic hardships. The election also saw 70% turnout, a strong rejoinder to those who say Orbán wins through voter apathy, and Fidesz was able to bring almost 500,000 new voters to the polls, a significant



figure in a country of 10 million (Krekó & Enyedi, 2018). In 2022, Orbán maintained his 49% vote share.

#### Judiciary: Orbán Begins by Neutering the Courts

When Viktor Orbán was elected in 2010 with a two-thirds super-majority in the Parliament, a large enough majority to amend the constitution, he wasted no time in reshaping the constitution to meet his needs, with 12 amendments covering 50 provisions in just his first year in office (Bankuti et al., 2012). The first step was to change the powers of the constitutional court to limit judicial review of his amendments and other legislation because the Constitutional Court “might have well declared many of the Fidesz initiatives unconstitutional had it not been disabled” (Bankuti et al., 2012, p. 139). He then put further limits on the court’s ability to review financial issues after the court struck down a retroactive tax designed to penalize politicians who were officials in the previous government (Bankuti et al., 2012).

However, these actions were not enough to prevent the Court’s decisions from being effective, and Orbán ultimately wanted to prevent the court from ever ruling against him. The President of the Constitutional Court was designed to be a check on executive power, but when the Court President criticized Orbán and his initiatives, Orbán used his Parliamentary majority to prematurely end the term of the Constitutional Court President and appoint a loyalist to the position (Bankuti et al., 2012). In 2011, Orbán claimed that a “deep state” had taken over the courts, leaving it controlled by communists aligned with the previous government. To protect the people from the communists, the Parliament passed a fundamental law that further limited judicial review, empowered the Prime Minister’s office, and expanded the Constitutional Court, allowing Orbán to

appoint seven new members that, when combined with earlier appointments during his previous term as Prime Minister, gave him a clear majority of loyalists on the 15-seat court. At that point, Levitsky & Way (2020) note that the Constitutional Court “lost all political relevance” (p. 61).

Once Orbán ensured he would not receive significant opposition from the courts, he quickly pushed through an entirely new constitution, with very little public or Parliamentary review, that further reduced the court’s ability to serve as a democratic check and allowed even greater control over judges down to the regional level (Bankuti et al., 2012). This included the creation of a National Judicial Office to oversee the courts, including the assignment, appointment, and discipline of judges.

After the office was created, Parliament passed another law that gave the President of the National Judicial Office, a close friend of Orbán, the power to reassign specific cases to any other court she chooses. The first cases reassigned were related to corruption charges against members of Fidesz. Altogether, these changes give the President of the National Judicial Office “extraordinary power” (Bankuti et al., 2012, p.143). Furthermore, Bankuti et al. (2012) point out that control of these supposedly independent institutions means that even if Orbán were to lose an election, he would still be entrenched in the courts.

Despite these powers, Orbán does not always choose to exercise his control, and there are still some cases he loses, giving the court the appearance of remaining nominally independent (Kingsley & Novak, 2018). However, the ability to change venues and judges whenever he wants (Marantz, 2022) allows Orbán to ensure no serious judgements can go against him or his allies. Orbán is quick to point out that everything he

does is legal, but that is because he makes it legal first, and the courts do not say otherwise (Marantz, 2022).

### Media: Controlled by Money and Laws, Not Threats

Levitsky & Way (2020) refer to Hungary as “the clearest case of this new pattern of competitive authoritarianism” (p. 60). They point out that one of the biggest ways that his approach is “new” is that Orbán does not control the media through physical threats to journalists or open coercion as past dictators may have done, but through control of financing and legislative restrictions meant to appear legitimate (Mong, 2014).

At the same time Orbán was remaking the courts, he also pushed through two laws that gave him more control over the media. The first affected the existing regulatory body, the Media Authority, and the second created a Media Council, an “independent” body that had the power to levy fines against media companies under vague criteria that included a failure to show “balance” (Bankuti et al., 2012). Orbán then appointed loyalists to fill every seat in the Media Council, and to serve as the head of the Media Authority. Since that time, the Media Authority has used its licensing authority to shut down almost all independent broadcasters in the regions (Mong, 2014). Under the new laws, the head of the Media Authority also serves as the president of the Media Council, further contributing to centralized control (Krekó & Enyedi, 2018).

In June 2014, the government launched an audit of non-profit media outlets funded by the Norwegian government, calling Norway biased against Hungary and saying that Norway should fund media outlets through the government to ensure balanced distribution (Mong, 2014). Also in June 2014, the Parliament passed a new tax law targeting media outlets that received their revenue from private sources rather than the

government. The major independent outlet, RTL Klub, received almost all its funding from private sources and had to pay a 40 percent tax on its revenues under the 2014 progressive tax (Mong, 2014). In 2015, the government also sought to control access to the internet through a tax of approximately \$0.55 per gigabyte, although large-scale protests forced them to back down (Kornai, 2015).

Public opinion against direct government control of the media, the failure to pass the internet tax law, as well as court decisions by the then-uncontrolled courts in Fidesz's early days, limited Orbán's ability to use his new legal tools created by the Parliament, (Bankuti et al., 2012) leading him to take other steps to bring the media in line. Agnes Urban, a researcher at a Hungarian media watchdog, told the Committee to Protect Journalists in 2014 that "the government realized that they can much more effectively achieve their goals of monopolizing the media market by business pressure and economic means" (Mong, 2014). In addition to ensuring government-owned media followed the Fidesz line, the economic means included pressuring international media outlets behind the scenes until they left the Hungarian market, and working with allied businessmen to purchase privately owned media. By 2018, Orbán and his allies controlled over 500 media outlets nationwide (Levitsky & Way, 2020). Heller (2019) estimates that by 2019, 90 percent of the Hungarian population only had access to Fidesz-controlled information through traditional media channels.

Kingsley & Novak (2018), writing in the *New York Times*, highlight the fate of Origo, Hungary's leading internet news site, as a case study of how Orbán gets control of independent media outlets. The outlet was owned by Magyar Telecom, which was in turn owned by a German media company. In 2014, the editor of Origo launched a high-profile

corruption investigation at the same time Magyar Telecom was in talks to renew its internet bandwidth license. Following secret talks in Vienna between the government and the German owners, Origu agreed to hire a media consultancy with close ties to Fidesz that had the ability to review everything the website published (Kingsley & Novak, 2018). Shortly thereafter, Magyar Telecom's license was renewed. The editor and several journalists quit the website in protest. However, despite the new review process, the website continued to publish stories that were unflattering to the government. Under continuous pressure to sell Origu to private Hungarian owners selected by the government, Magyar Telecom eventually agreed to sell through a public bidding process. The highest bidder was a close Orbán associate who had the help of financing from a government-owned bank. The winning bid was much higher than the others, which the new owner, Tamas Szemerey, said was necessary to prevent Soros or other foreigners from buying the website (Kingsley & Novak, 2018). In the end, by 2018, the once critical news site was amplifying Fidesz propaganda and regularly attacking George Soros.

While the story of Origu is not an isolated incident, in most cases Orbán is able to control the media by ensuring cooperative media sites are profitable and independent outlets cannot compete (Kornai, 2015). For example, government advertising is a major source of revenue, with government-friendly outlets receiving 70 percent or more of their revenue from the government (Krekó & Enyedi, 2018). Origu received a "windfall" of government advertising revenue once it aligned itself with the state (Kingsley & Novak, 2018). Furthermore, businesses know that placing their advertising with opposition media outlets can attract unwanted government scrutiny (Kornai, 2015). Other ways the government ensures their favored media outlets are more competitive include providing

government-approved wire news for free, while independent wire services are expensive, and distributing free newspapers that compete directly with private papers (Kornai, 2015). Because there was no overt coercion, as opposition media outlets closed or were bought by government-friendly businessmen, the government was able to attribute the shift in the media environment to market forces rather than “autocratic pressure” (Levitsky & Way, 2020, p, 61). Overall, Orbán’s most effective path to controlling the media is making it easy for government-aligned media to succeed, and by making it difficult for critics until they give up (Marantz, 2022).

#### Other Variables: Electoral Manipulation Ensures Big Wins

The three variables in my hypothesis are present in Hungary, but what other independent variables may be present that might be necessary for Orbán to hold power as he undermines democratic institutions? Before the end of his first two years in office, Orbán was able to insert his loyalists into a position of power in virtually every state institution, including the Constitutional Court, the Budget Council, the State Audit Office, the Public Prosecutor’s Office, and the National Bank (Bankuti et al., 2012). However, his efforts to change the electoral system to his advantage stand out as a way to ensure he can continuously win large majorities even if his popularity fades. The Organization for Security and Cooperation in Europe has consistently called the elections in Hungary since Orbán “free but not fair” (Krekó & Enyedi, 2018). This means that there is little direct manipulation of the ballots or voters on election day, but that the opposition does not face a level playing field during the campaign and therefore has little-to-no chance of winning.

Orbán first returned to power in 2010 with a two-thirds super-majority, despite winning only 53% of the vote, because of a majoritarian system designed to favor large parties (Bankuti et al., 2012). At the time the system was put in place, the greatest fear was a split between a proliferation of small parties who would not cooperate and would paralyze the government. The framers incorrectly believed no single party in Hungarian's fractured political scene could win enough votes to get two-thirds of the seats by itself (Bankuti et al., 2012).

Once in office, Orbán moved quickly to seize control of the election commission. The commission consisted of ten seats, with five seats going to each of the five largest parties, and another five non-delegate seats to be appointed by mutual agreement between the government and the opposition. Orbán's government changed the laws to prematurely end the mandates of the existing non-delegate seats and unilaterally appointed loyalists in their place, giving him an instant majority on the commission (Bankuti et al., 2012). Furthermore, through control of the State Auditor's Office, opposition parties received excessive fines for violations while accusations of corruption and wrongdoing for Fidesz members were not investigated (Krekó & Enyedi, 2018).

In addition, Orbán strengthened the majoritarian system that gave him his large Parliamentary majority, modifying the election laws seven times in the first five years alone, to ensure he could continue to win a super-majority even if he received a smaller share of the vote (Kornai, 2015). Strategies included making it easier to circumvent funding caps, rewriting the campaign finance law, reducing the seats in Parliament from 386 to a more manipulatable 199, gerrymandering districts to split opposition constituencies, and introducing single-round balloting to allow for victories without

majority support (Transparency International, 2014). In a single-round ballot, it is more difficult for the opposition to unify, and it allows the government to win winner-take-all majoritarian seats without securing a majority in the district. As early as 2012, Bankuti et al. asserted that even if elections were free and fair, “it will be hard for any other party to come to power with this level of political control over all the institutions necessary for democratic elections” (p. 145).

Table 3. Orbán Approach to Three Variables.

Ethno-Nationalist Rhetoric	Control of the Media	Control of the Judiciary
<ul style="list-style-type: none"> <li>• Assert a monopoly on ability to protect ethnic Hungarians.</li> <li>• Large focus on threat from non-Hungarians, George Soros, and Brussels.</li> <li>• Assert legitimacy by comparison to historical figure.</li> <li>• Highlighting grievances of Treaty of Trianon.</li> <li>• Attempt to redeem Horthy as tragic hero who did his best.</li> </ul>	<ul style="list-style-type: none"> <li>• Controlling regulatory body and using excessive fines or licensing withholdings to opposition media.</li> <li>• Withholding of government advertising dollars to opposition media.</li> <li>• Intimidation of private businesses advertising with opposition media.</li> <li>• Buying out of opposition media outlets, often for above-market rates.</li> <li>• Heavy investment in government-aligned media to capture larger market shares.</li> <li>• Allowing some opposition media in urban areas where</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring loyal judges can be appointed directly by the ruling party.</li> <li>• Bribing and intimidating judges.</li> <li>• Controlling judicial administration to allow for judges to be promoted or transferred based on loyalty.</li> <li>• Controlling case assignment process to ensure important cases can be assigned to specific judges.</li> <li>• Amending laws and/or constitution to limit judicial review of key legislation.</li> </ul>



	<p>people often have media alternatives the government cannot control, but limiting opposition media in rural areas using the approaches above.</p>	
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### Venezuela: Bolivarian Revolution Narrows Democratic Space

#### Ethno-Nationalist Rhetoric: “Carrying on” the Work of a Great Hero

From the beginning, Chávez’s popular support was rooted in his populist rhetoric. Hugo Chávez captured the people’s imagination instantly when he came to the public’s attention as the face of an unsuccessful 1992 coup attempt (Mdeleleni, 2012). From his first television appearance, then-Lieutenant Colonel Chávez established himself as a patriotic nationalist working in the name of Venezuelan national hero Simón Bolívar, under the banner Movimiento Bolivariano Revolucionario 200 (MBR-200). Chávez’s short television address to concede defeat and call for his fellow coup plotters to peacefully put down their weapons began with references to Bolívar and ended by showing “bold defiance” (Shifter, 2006, p. 47) in defeat. He was jailed for nearly two years after that, but in that time, journalists began writing about him as a folk hero and his popularity grew. The next President pardoned him and his fellow conspirators and encouraged them to pursue political goals through elections (Hawkins, 2003).

By the 1990’s, Venezuela had been a democracy for decades. In 1958, after dictator Marcos Pérez Jiménez fled the country, the major political parties signed the pact

of Punto Fijo, agreeing to recognize the results of elections and share some power no matter who won. The agreement ushered in 40 years of democracy, but as time went on the situation became more problematic as the two biggest parties competed with each other but cooperated to keep out other voices. The system, which became known as a “partyarchy,” became unstable when the oil crash of the 1980s reduced the ability of the two parties to continue the corruption and clientelism that had helped keep them in power (Weiss, 2009).

By 1992, when Chávez and the MBR-200 attempted their coup, popular dissatisfaction with the government was reaching its peak. Although the coup failed, by the next presidential election the only way the two parties were able to stay in power was to unite against a plethora of new parties. The Punto Fijo pact was considered dead (Duffy, 2012).

Chávez co-founded the MBR-200 in 1983 as a group of young officers dissatisfied with Venezuela’s corrupt leadership and steeped in the nationalist curriculum of the country’s universities (Hawkins, 2003). They named themselves after Bolívar because he is Venezuela’s most venerated hero, both a founding father and demi-god hero rivaling the Greeks (Mixon, 2009), with the cult of Bolívar particularly strong in the military. Simón Bolívar was a wealthy 19th-century landowner born in Caracas who led a revolt against colonial rule and is called El Libertador for his role in leading Colombia, Venezuela, Ecuador, Peru and Bolivia to independence as Gran Colombia.

Chávez is no different from his predecessors in that every leader of Venezuela since its founding has invoked the name of Bolívar, but Chávez went much further than those that came before him, weaving Bolívar into his identity and asserting in his rhetoric

that he was working in the name of Bolívar with his “Bolivarian” revolution (Mixon, 2009). After he came to power, Chávez even renamed the Republic of Venezuela the Bolivarian Republic of Venezuela. Mixon (2009) goes into detail about how Chávez’s speeches used a variety of rhetorical devices to boost his popularity, most notably using Bolívar as an “authorizing figure,” building the national myth, and then applying “casuistic stretching” to convince audiences that his goals and vision were identical to Simón Bolívar. The authorizing figure device is the invocation of a revered past leader to “authorize” a current political leader as if the dead hero—and they must be dead so they can’t dissent—has given the new leader the “good housekeeping seal of approval” (Mixon, 2009, p. 169). Chávez constantly referred to Bolívar in his speeches, always compared himself to Bolívar, and occasionally even declared that “Bolívar had returned” as part of his Bolivarian revolution (Mixon, 2009).

Once the new leader is authorized, Mixon (2009) discusses how they use casuistic stretching to establish new principles while claiming to be faithful to old principles. Chávez repeatedly claimed that Bolívar was, like him, a socialist. For proof, Chávez carefully picked select quotes by Bolívar, taking them out of context, and applying modern meanings to old words (Mixon, 2009). Setting aside the fact that Bolívar died when Karl Marx was still a child, it is unlikely that Bolívar would have actually been a socialist. Bolívar never abandoned his life of privilege or his multiple plantations, and once he successfully evicted the Spanish, he did not argue for establishing a democracy as had been done in the United States, instead asserting that the best form of government was a constitutional monarchy like in the United Kingdom, with him as the president/monarch.

However, the reality of Bolívar is irrelevant, as it is the myth of Bolívar that Chávez found useful. Chávez used that myth to establish his own legitimacy, making the case that nobody should doubt his right to rule because they would not doubt Bolívar's right to rule. In the same way, Chávez leveraged Bolívar to ratify his policies by asserting he was doing what Bolívar would have done (Mixon, 2009). Chávez also used the Bolívar myth to delegitimize his enemies by telling stories of how Bolívar fought against and was betrayed by "oligarchs" and then calling anyone who disagreed with him an oligarch as well (Penfold & Corrales, 2011). In 2008, Chávez even threatened to put tanks on the street if his candidate lost a state election race, promising to use his "armored brigade" to prevent the return of the "oligarchs."

Another well-established myth that Chávez used to his advantage was the idea that all of the poor's problems were the result of the actions of the rich in a zero-sum game. The poor saw Venezuela as a land of limitless wealth, with the largest oil reserves in the world, so the only reason they were poor must be that the rich were hoarding this wealth (Pappas, 2008). Chávez did not invent this myth, but he played on this idea, and amplified it by an unprecedented willingness to tap into collective anger and working to divide all of Venezuela into his supporters, *the people*, and those that opposed him, *the oligarchs*, in a binary paradigm: anything *people* is not *oligarch* and anything *oligarch* is not *people*. (Pappas, 2008)

Like Orbán, Chávez also highlighted that the great authorizing hero failed. In an early speech as president, Chávez explained that "as we all know, Bolívar was betrayed; Bolívar was expelled from Venezuela by the oligarchy that took hold of the country, and he, who was precisely the Liberator, wound up humiliated, wound up expelled from his

own motherland; and he went to die, almost alone, in Santa Maria” (Mixon, 2009). By showing the great hero had failed, Chávez creates space for him to fail and still maintain legitimacy.

Chávez presented himself as the only person who could solve Venezuela’s problems; the system was broken, and Chávez convinced the people he was the only one who could fix it (Pappas, 2008). Chavez’s populist rhetoric delegitimized all other representative institutions, and created space for lawbreaking. Because his relationship with the people was direct, and because he acted in the name of Bolivar, Chávez essentially argued he was above the law (López Maya, 2014). It is through this ethno-nationalist rhetoric that Chávez, a man whose only political experience—and his only notable military experience—was a short-lived coup attempt, and who had no party infrastructure behind him, was elected President of Venezuela by a landslide in 1998 (Penfold & Corrales, 2011) and held power until his death nearly 15 years later.

#### Judiciary: Courts Strengthened, Then Restricted

Chávez won the 1998 elections over more experienced candidates because he promised radical change rather than any particular policy or program (Hawkins, 2003). He swore he would dismantle the bipartisan “partyarchy” that had ruled Venezuela since 1958, replacing the Punto Fijo pact with a new political system that would empower the poor. After he was elected, Chávez immediately went to work on drafting a new “Bolivarian” constitution that would fulfill his promise (Penfold & Corrales, 2011).

Chávez’s constitution, which he forced through and eventually turned to a popular referendum to pass because he lacked the votes in the legislature, did bolster some democratic institutions, but also centralized power to the executive and removed many

checks on Presidential power (Sanchez Uribarri 2011). With 18 elections during his 14 years in power, Chávez set out to create a new form of “participatory democracy” that he said gave a voice directly to the people, replacing the “liberal” democratic system of governing through a body of elected representatives making decisions for the people. He saw these continual elections as his path to legitimacy, and as long as he won the election it was impossible for any institution to oppose him (López Maya, 2013). In 2007, Chávez’s vice-president called this system a “dictatorship of true democracy” (Corrales & Penford-Becerra, 2007).

Many scholars split Chávez’s rule into two distinct periods (Penfold & Corrales 2011; Sanchez Uribarri 2011; Shifter 2006; Weiss 2009). In the first period, which ended in 2004, Chávez was broadly and unquestionably popular, and he used his mandate to usher in many of the reforms that he had promised, even if he delegitimized enemies and concentrated power to himself. However, by 2004, Chávez’s popularity had started to fade, and many of his allies began to abandon him, as some of his bold moves had increased economic hardships and the opposition became better organized and more effective in opposing his centralization of government control (Weiss, 2009).

In 2003, the opposition successfully moved to call for a recall referendum, to be held in 2004, to remove Chávez from power. Early polls showed that the referendum could succeed, and Chávez ushered in a new era in which he began to more aggressively manipulate and control institutions, including the courts, to ensure the referendum would fail and he would hold power (Corrales & Penford-Becerra, 2007).

At the beginning of Chávez’s government, he strengthened the courts and empowered them to be an important check on government abuse (Sanchez Ubarri, 2011).

The 1999 constitution broadened judicial review, shifted the administration of the judiciary from politicians to the judges themselves, and even granted the judiciary the authority to rewrite laws in some instances. Sanchez Ubarri (2001) notes that even in this period the judiciary was not completely independent. Between 2001 and 2004, the court became more overtly political in favor of the government. Chávez controlled the appointment of judges and removed some opposition judges. Despite this “ex ante” influence, or perhaps because of it, Chávez generally did not interfere in court decisions, even when they went against the government, giving them a high degree of “ex post” independence (Sanchez Ubarri, 2011).

The 2004 referendum posed the first serious threat to Chávez’s power since he took office, and Chávez realized he needed to reform the courts to give him more influence and levers of control (Sanchez Ubarri, 2004). He justified this reform by explaining that changes were needed to prevent the opposition—the oligarchs—from using the courts to undermine the Bolivarian revolution. He pushed through a law in 2004 that expanded the court, which allowed for court packing, and gave the legislature—which he now controlled—the power to override court decisions. The law also made it easier to force defiant judges into retirement (Sanchez Ubarri, 2004). After Chávez won the 2004 referendum, his pressure on the courts accelerated, the number of court cases against the government declined precipitously, and by 2009, the courts were completely unwilling to oppose Chávez beyond the occasional “appearance of contestation” (Sanchez Ubarri, 2004, p. 878).

Once he was in control of the courts, Chávez had a free hand to amend the constitution whenever it was convenient and use his majority in the legislature to reshape

the country without any checks (López Maya, 2013). The courts also played a critical role in Chávez's efforts to remove term limits and allow him to be President for life. After the public rejected his referendum to create a new constitution that did not include term limits, Chávez's only failure at the polls in 18 tries, the courts cleared the way for him to immediately hold another referendum to end term limits despite the constitutional prohibition against holding referendums on the same subject in the same term (Mixon, 2009). On the second try, with the government exerting enormous pressure on the electorate, the referendum ending term limits passed.

In addition, control over the courts was important to Chávez because it not only ensured political victories for him, but also because it gave him the ability to offer impunity for corruption to his supporters, and politicized prosecutions to his opponents (Corrales & Penford-Becerra, 2007).

#### Media: Media Restrictions Grow as Popularity Fades

Chávez always understood the power of the media—it was his post-coup television appearance that catapulted him to prominence—and he used his charisma and populist rhetoric to ensure he dominated the airwaves (Shifter, 2006). Chávez launched his popular television show, *Aló Presidente*, in 1999, only three months after he was elected. The show, which was broadcast on many different outlets, was hosted by Chávez, and averaged six hours long with singing, dancing, insults of enemies, surprise dismissals and appointments of new ministers, monetary prizes for call-in winners, and launches of new policy initiatives (López Maya, 2013).

However, in the lead-up to the 2004 referendum, Chávez felt the media turned on him and that more extreme measures were required, again to prevent the “oligarchs” from



using the media to regain power, as he argued media freedom was not as important as protecting the revolution (Hawkins, 2003). Chávez sought to bring the media in line through threats, legal restrictions, and massive investments in government-aligned media to ensure the opposition stations could not compete (Penford & Corrales, 2011).

Chávez first turned towards legislation and regulatory controls to silence opposition media voices. Even his 1999 constitution included stiff regulation of content that worried many observers, but ultimately did not prevent a healthy opposition media from working (Penford & Corrales, 2011). However, after 2004, Chávez passed two laws that seriously restricted the media environment, the Organic Law on Telecommunications and the Law of Social Responsibility (Penford & Corrales, 2011). Taken together, these laws and others passed around the same time limited what the media was allowed to say, created new legal liabilities for “inappropriate” speech, and gave Chávez a free hand to revoke the licenses of any media station that opposed him (López Maya, 2013).

At the same time, Chávez strengthened his dominance of friendly media, and expanded the size and quality of government aligned stations. This included making the broadcast of *Aló Presidente*, which Chávez recorded several times a week, mandatory for all state-owned media outlets. By the end of his presidency, three out of every four hours on the national public channel were either government-produced propaganda or clips from *Aló Presidente* (López Maya, 2013).

Corrales & Penford-Becerra (2007) explain that media was once a strength of the opposition, but they had little room to be competitive after the government spent \$40 million upgrading the state-owned TV station. The government also acquired or created 145 local radio stations, 75 community newspapers, three more televisions stations, and

dozens of websites. While he was building up his vast “media system” (López Maya, 2013), Chávez was denigrating the opposition media and shaping the narrative to convince the population that the dissenting stations were nothing more than tools of the oligarchs, enemies of the people (Mixon, 2009). He called the major opposition TV channels the “Four Horsemen of the Apocalypse.” Under legal, financial and rhetorical pressure, two of these horsemen eventually relented and aligned themselves with the government. The two that did not were labeled traitors and coup plotters (Penford & Corrales, 2011). While Chávez used manipulation of the media business environment and other “new” tools to suppress media freedom, he also did not hesitate to rely on the old tools of fear and violence, with opposition journalists frequently robbed and attacked by Chávez supporters with impunity (Hawkins, 2003).

#### Other Variables: The Main Factor Is Money

Like other aspiring dictators, Chávez used a full range of tools and institutional controls to hold power, including a willingness to put military members into civilian positions and use the military to intimidate enemies and suppress dissent (Schulz, 2001). However, these other tools of autocracy do not seem to be at the core of Chávez’s efforts to gain and hold power.

Chávez, like the other leaders in these case studies, did exercise influence over the electoral commission, ensuring commissioners were loyal to the revolution, using the commission to disqualify opposition candidates, creating election regulations that tilted the playing field in favor of the government, and more (Sanchez Ubarri, 2011). Despite this control, Chávez’s ability and desire to control elections was mostly limited to making things difficult, rather than impossible, for the opposition. This was most evident when

the election commission put up multiple obstacles to prevent the 2004 referendum from moving forward because it appeared Chávez would lose, but eventually relented and let it take place (Penfold & Corrales, 2011).

Chávez's relative restraint with regards to the electoral system was largely due to the fact that under his system of "participatory democracy," his legitimacy was based on winning essentially free elections and he always pointed to his electoral wins to respond to domestic and international critics accusing him of being an autocrat (Penfold & Corrales, 2011). Despite irregularities, independent international observers judged Chávez's elections generally free & fair, at least through 2009 (López Maya, 2013). Because of the limited control over the election environment, this case is perhaps the best example of how control over elections is not necessary when the three variables in my hypothesis are present.

The primary other significant factor in Hugo Chávez maintaining power is the presence of immense oil wealth. The oil boom of the early 2000's gave Chávez a virtually unlimited private budget to spend in order to keep himself in power (Penfold & Corrales, 2011). Similar to his control over the judiciary and repression of the media, Chávez relied on his rhetoric to keep him in power through 2004 and largely ignored social spending at that time as a way to maintain power. Corrales & Penfold-Becerra (2007) explain that this changed starting in 2003 when Chávez responded to the threat of a defeat in the recall referendum by launching his *misiones* program, a massive social spending program that distributed cash and other benefits to millions of Venezuelans. While launching a massive new spending program ahead of an important election could be considered an unfair use of official resources, it could also be considered democratic

politics as usual with people voting to support a politician who created a program they liked.

Where the *misiones* program crossed the line is that it was not delivered equally based on need, but focused on those who were loyal to Chávez (Corrales & Penford, 2007). This included denying public service to people who signed the petition to call for a recall vote, after a Chávez loyalist posted a copy of the list online (Shifter, 2006). One survey showed that people who signed the recall petition saw a five percent reduction in earnings and a 1.5 percent reduction in employment rates after the petition list became public (Corrales & Penford, 2007).

Chávez’s use of oil money was undoubtedly a factor in him maintaining power, particularly after 2004, but social spending, and even social spending to transparently “buy” votes, is a factor in many countries that do not experience democratic backsliding. Furthermore, democratic backsliding is present in many poor countries (Freedom House, 2020), so it would be difficult to establish it as a necessary independent variable in a generalized theory. The harder question is whether the presence of huge amounts of money makes one or more of the independent variables in my theory not necessary, and more research is needed to rule out that possibility.

Table 4. Chávez Approach to Three Variables.

Ethno-Nationalist Rhetoric	Control of the Media	Control of the Judiciary
<ul style="list-style-type: none"> <li>Assert a monopoly on ability to protect</li> </ul>	<ul style="list-style-type: none"> <li>Controlling regulatory body and using excessive fines</li> </ul>	<ul style="list-style-type: none"> <li>Ensuring loyal judges can be</li> </ul>

<p>common Venezuelans.</p> <ul style="list-style-type: none"> <li>• Large focus on threat from oligarchs and America.</li> <li>• Assert legitimacy by comparison to Bolívar.</li> <li>• Raising times when Bolívar failed.</li> </ul>	<p>or licensing withholdings to opposition media.</p> <ul style="list-style-type: none"> <li>• Withholding of government advertising dollars to opposition media.</li> <li>• Intimidation of private businesses advertising with opposition media.</li> <li>• Buying out of opposition media outlets, often for above-market rates.</li> <li>• Heavy investment in government-aligned media to capture larger market shares.</li> </ul>	<p>appointed directly by the ruling party.</p> <ul style="list-style-type: none"> <li>• Intimidating judges.</li> <li>• Amending laws and/or constitution to limit judicial review of key legislation.</li> </ul>
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### Sri Lanka: Rajapaksa “Defends” Sinhalese Buddhism from Tamils

#### Ethno-Nationalist Rhetoric: Establishing a Monopoly on Sinhalese Buddhist Nationalism

Mahinda Rajapaksa was elected president in 2005 on a promise that he would annihilate the LTTE Tamil terrorist organization, a break from the previous government’s efforts to find a negotiated solution to the war (Deane, 2016). By the time Rajapaksa took power, the civil war had been going on for almost thirty years. Most Sri Lankans had resigned themselves to the fact that the LTTE could never be beaten, and Rajapaksa’s opponent in the election, Ranil Wickremesinghe, architect of the ongoing peace negotiations, stood out as one of the few Sri Lankan politicians in the country’s history who ran on a platform of compromise over nationalism (Imtiyaz, 2014).

Extreme polarization linked to Sinhalese Buddhist nationalism had been at the core of Sri Lanka's politics since before independence, and was one of the causes of the civil war (Venugopal, 2015). In Sri Lankan elections, it was not a question of voting for the candidate that was a Sinhalese Buddhist nationalist, but voting for the candidate that was the most Sinhalese Buddhist nationalist. This led to a series of elections that escalated anti-Tamil tension and stoked division as the candidates worked to outbid each other on who was the most nationalistic (DeVotta, 2014).

As early as 1956, this led to the passage of the Sinhalese Only Act, a radical piece of legislation that required, among other things, that all official government business be done in Sinhalese. The Act was designed to further marginalize the Tamil population, and the campaign promise that launched it showed how effective ethno-nationalism could be used for electoral gain. (Stone, 2014) Then, in 1978, a new constitution, again the result of an ethno-nationalistic campaign promise, further consolidated power with a strong Sinhalese Buddhist presidency and helped spark the civil war that began a year later (DeVotta, 2010).

Sinhalese had arrived on the island that is now Sri Lanka around 500 BC from India and assert that the island belongs to them and it is their responsibility to defend it against late-arriving interlopers (the Tamil did not arrive until around 300 BC). The Sinhalese were also early adopters of Buddhism, and they see themselves as the defenders of Theravada Buddhism (Imtiyaz, 2014). Non-Sinhalese are welcome to live in Sri Lanka, under the Sinhalese Buddhist world view, as long as they recognize the primacy of the Sinhalese and Buddhism. Much of Sinhalese myth and history is the story of Sinhalese heroes fighting off invaders from India, mostly Tamil (Stone, 2014).

Rajapaksa had distinguished himself as a populist Sinhalese Buddhist nationalist long before he ran for President (Venugopal, 2015). Sri Lankan politics had been controlled by elites from the capital of Colombo since independence, with the children of the country's founders and first Presidents often becoming President themselves. Although Rajapaksa also came from a political family, he portrayed himself as an outsider. His father and uncle were both politicians but did not come from the circle of Colombo intellectuals. They were considered blue-collar politicians from the southern part of the island and descended from farmers. Rajapaksa began wearing a red scarf that would become his trademark in honor of his uncle, who also wore a red scarf because, as Rajapaksa said, it was a reminder of the red millet that is the staple for poor farmers in the south (Nugawela, 2019).

When Rajapaksa first ran for President, he had a double advantage in terms of ethno-nationalist rhetoric. Not only was his pledge to annihilate the Tamils a classic example of nationalist outbidding that had been successful in past elections, but he was also going against an opponent who had chosen conciliation over nationalism (Imtiyaz, 2014). However, Rajapaksa also went one step further to ensure a nationalist victory and formed an alliance with the Jathika Hela Urumaya (JHU), a far-right, ultranationalist party founded by Buddhist monks. A few years earlier, Rajapaksa, then a Prime Minister, had also brought the Janatha Vimukthi Peramuna (JVP), a far-left nationalist party responsible for a series of terrorist attacks before eventually renouncing violence, into his party's coalition (Subedi, 2022). The Colombo elite had long resisted working with the fringes of the political spectrum and had not cooperated with either before Rajapaksa, but

Mahinda Rajapaksa won the 2005 presidential election as the first candidate to run in a coalition with both the JVP and the JHU (Imtiyaz, 2014).

After his presidential win, Rajapaksa followed through on his campaign promise, ended all efforts at negotiation, and launched an aggressive military campaign that eventually led to the total defeat of the LTTE in 2009 (Deane, 2016). Rajapaksa was hailed as a Sinhalese-Buddhist hero for winning a war that many thought could not be won, and soon called early elections, expecting to win an easy re-election. Rajapaksa was incredibly popular after winning the war, but the opposition found the one candidate who had a chance of beating him: General Sareth Fonseka, the commanding general who designed the military plan for victory (DeVotta, 2010).

Fortunately for Rajapaksa, while winning the war in the name of Sinhalese-Buddhists was one of Rajapaksa's core messages, it was not the only one. Another way in which Rajapaksa pushed the bounds of Sinhalese-Buddhist nationalism in Sri Lanka was by personalizing it. Through his rhetoric, Rajapaksa sought to get a monopoly on Sinhalese-Buddhist nationalism, a challenge in a country where all political leaders are expected to be Sinhalese-Buddhist nationalists. Rajapaksa's 2010 campaign platform was Mahinda Chinthanaya (Mahinda's thoughts), a guide for approaching life to be a better Sinhalese-Buddhist, coopting and personalizing the Jathika Chinthanaya (National Thoughts) that represented the "political psychology of the majoritarian Sinhalese" (Subedi, 2022, p. 280).

Similar to the way that Chávez transformed and took possession of the Bolivar myth, Rajapaksa also went beyond just invoking Sinhalese history and the famous Sinhalese kings of the past to declaring himself personally one of the great Sinhalese



kings. Rajapaksa used videos, posters, plays, and songs to celebrate this “truth,” and his brother, Basil Rajapaksa, even declared that “the era of ‘ruler kings’ had begun” (DeVotta, 2011, p. 136). One representative song written after the war victory declared Rajapaksa was both a golden god and a divine king, with a royal mandate from the heavenly Great Brahmas who were present at the birth of the Buddha (Gunasekara, 2009). Fonseka may have been a general, but Rajapaksa was a god-king. One sign of the success of Rajapaksa monopolizing nationalist rhetoric was the decline of the JHU and the near-collapse of the JVP. Rajapaksa had become the voice of Sinhalese nationalism, leaving no space for the extremists at both ends of the nationalist spectrum (Goodhand, 2011).

After his election victory in 2010 on the heels of his victory in the civil war, Rajapaksa continued to press his personal brand of Sinhalese-Buddhist nationalism (DeVotta, 2014). However, the complete defeat of the LTTE created a problem for Rajapaksa. He had used fear to establish his legitimacy, but now he had to prove that he was still useful after that threat was gone (Subedi, 2021). Rajapaksa continued to stoke Sinhalese fear of Tamils, but he was faced with the paradox of trying to simultaneously both warn of the Tamil threat and as the winner of the war say he had definitively resolved the Tamil threat. Many saw the emergence of rhetoric around the new Muslim threat, and the emergence of a group of fundamentalist extremist violent Buddhist monks called the BBS (the Sinhalese abbreviation for Buddhist Power Force), anti-Muslim ‘defenders’ with clear ties to the government, as an effort to create a new Muslim threat for Rajapaksa to defeat (Field, 2015). Rajapaksa also began talking more about threats

from jealous Western countries, and from the Tamil diaspora, as external threats that only he can defeat (DeVotta, 2010).

The elimination of the Tamil threat, Rajapaksa's *raison d'être*, may be one of the reasons that he lost the election in 2015 (Amarasuriya, 2015). Essentially, he resolved the unresolvable demand of the identity politician. The utility of the war hero after the war is done is a question as old as Odysseus. In 2015, the opposition repeated the strategy they tried in 2010 to recruit a candidate that was tailor-made to defeat Rajapaksa. Maithripala Sirisena was a senior leader in Rajapaksa's party who defected after growing tired of the nepotism and cronyism in the government. Rajapaksa, the son of successful politicians, claimed to be an outsider of poor rural farmer descent. Sirisena was an actual poor rural farmer before joining politics (Field, 2015). Sirisena did not shy away from the Sinhalese nationalism that was the hallmark of Sri Lankan politics, and even took a page from Rajapaksa's playbook by aligning himself with the JVP and the JHU (Amarasuriya, 2015). However, Sirisena explicitly pushed back against Rajapaksa's personalized Sinhalese-Buddhist nationalism, declaring in an early campaign speech "we need a human, not a king" (Field, 2015, p. 6). Running on a platform of human rights and an end to corruption, his message was clear to Sri Lankans: the war was over, and Sri Lankans no longer needed their god-king.

#### Judiciary: Tight Control of Judges, but Limits Reached

Judicial compliance played an important role in Rajapaksa's efforts to consolidate and hold power. This includes the judiciary ensuring complete impunity for all war crimes that occurred at the end of the war, including some very serious allegations that the military was responsible for tens of thousands of deaths (ICJ, 2012). Courts shielding

a country's leadership from war crimes violations is not unique to Sri Lanka, but the Sri Lankan courts also helped Rajapaksa ensure his allies had impunity for their corruption and other crimes and endorsed Rajapaksa's efforts to accumulate power (Jayasuriya, 2012).

Manipulation and control of the courts was not a Rajapaksa innovation, and there have been accusations of judicial control throughout the Sri Lanka's history (ICJ, 2012). Both the 1972 and 1978 constitutions allowed for politicization of the judicial appointments. The draconian Prevention of Terrorism Act (PTA), enacted as a 'temporary measure' in 1978, even allowed for some decisions to be exempt from judicial review if they were in the name of national security (Abeyratne, 2015). However, in practice, the judiciary had been growing progressively stronger after the passage of the 1978 constitution and asserting itself even in the face of government opposition (Abeyratne, 2015). As Abeyratne (2015) notes, the court even expanded some freedoms restricted under the PTA, and while it was very friendly towards Buddhism in general, the courts consistently drew the line at allowing Sri Lanka to be a legally Buddhist state at the expense of other religious rights. The 17th Amendment to the Constitution, passed in 2001, even helped depoliticize the court by creating a multi-partisan Constitutional Council that would oversee the appointment process for judges and other key public servants (ICJ, 2012).

That positive trajectory changed when Rajapaksa came to power. During his first term, he did not make any new appointments to the Constitutional Council, which prevented it from working and left many judgeships and important government positions vacant. By 2008, Rajapaksa ignored the laws and began to unilaterally make

appointments that were supposed to be made by the Constitutional Council (ICJ, 2012). Several suits were brought to challenge these appointments, but the Supreme Court, already under pressure, ruled that the President's constitutional immunity from prosecution prevented judicial review of his actions (ICJ, 2012).

The courts then played a key role in discrediting Rajapaksa's opponent in the 2010 presidential election, General Sareth Fonseka. As detailed above, Rajapaksa saw Fonseka as a genuine threat because he was a Sinhalese-Buddhist national war hero that shared credit for Rajapaksa's greatest accomplishment, winning the war in 2009. Rajapaksa turned to the courts to help discredit Fonseka, engineering trials on weapons smuggling, and on treason over Fonseka's implication that Defense Secretary Gotabaya Rajapaksa, brother of the President, was responsible for the killing of the LTTE leadership after they had surrendered (DeVotta, 2011). These accusations damaged Fonseka's nationalist credentials, and after the election Fonseka ended up being stripped of all military privileges and served two years in jail (Amarasuriya, 2015).

Once he was re-elected in 2010, Rajapaksa pushed through the 18th amendment which abolished term limits and the Constitutional Council, and formally gave the President the power to unilaterally appoint high ranking judges and other key public servants (Stone, 2014). The 18th amendment was passed as an Urgent Bill, a process that precludes public debate, limits parliamentary debate, and makes the act not subject to judicial review (DeVotta, 2014). The only procedural checks on an Urgent Bill are 1) requirement it passes by a 2/3 Parliamentary majority, which the President had, and 2) that the Supreme Court certifies the bill does not repeal or contradict an existing constitutional provision (ICJ, 2012). Many observers hoped the Supreme Court would

reject the amendment, since it directly repealed the establishment of the Constitutional Council. The Court declined to do so, and the amendment passed. The passage of the 18th amendment removed the final obstacles to what DeVotta (2014) calls “telephone justice,” in which a judge receives a phone call from the Attorney General (also now a direct Presidential appointee) or other official telling them how to rule.

By the end of 2012, Rajapaksa seemed to have the judiciary well in hand, and virtually every ruling went his way (DeVotta, 2014). However, after Rajapaksa arbitrarily impeached Shirani Bandaranayake, the Chief Justice of the Supreme Court, for ruling against his Divi Neguma plan, his complete control unraveled as judges and lawyers took to the streets against him (Amarasuriya, 2015).

The Divi Neguma plan involved transferring control of over \$600 million dollars in savings from community development banks to the control of Basil Rajapaksa, the Minister of Economic Development. The nationwide community bank system held the savings of the poorest members of Sri Lankan society and used those savings to make hyper-local loans for small development projects. Rajapaksa argued that countless small development projects were inefficient, and the government could more effectively ensure development by centralizing control (Daily FT, 2012). Critics expressed concern that the plan would give Basil Rajapaksa control over spending more than half a billion dollars with virtually no oversight (DeVotta, 2014).

Bandaranayake was appointed to her position by Rajapaksa in 2011, shortly after the passage of the 18th amendment, and had previously been a loyal judge who made many controversial rulings in the government’s favor. However, seizing the savings of

the poorest Sri Lankans and turning it into an unregulated Rajapaksa slush fund seemed to cross the line for her (DeVotta, 2014).

Bandaranayake ruled against the Divi Neguma plan on 31 October 2012. Impeachment papers were filed in the Parliament the next day. The impeachment was then rushed through Parliament without due process or following the legal impeachment requirements through the actions of a Parliamentary Select Committee (PSC) of Rajapaksa loyalists that had no legal basis to act. The PSC ignored the ruling of the Appeals court that it had no authority to try the impeachment case and moved quickly to remove the Chief Justice. For Rajapaksa, it was important not only to remove Bandaranayake but to do so in a way that was obviously arbitrary so there could be no doubt that he could go after anyone (DeVotta, 2014).

The move backfired, and the once pliant judicial sector jumped to life and turned against Rajapaksa, led by the Bar Association. The Bar Association was formerly a non-political professional association that included both lawyers and judges from across the ideological spectrum. Even the lawyers that had been loyal to the President were angered by the arbitrary impeachment and rapid removal of the Chief Justice. Shortly after the impeachment, the Bar Association elected a new President who had run on a platform of opposing Rajapaksa and defending the judges (Sri Lanka Brief, 2013). Rajapaksa responded to opposition in the judiciary the way he did to all opposition, calling them traitors and allowing impunity for violence against them. The Secretary of the Judicial Services Commission, which oversees the administration of the judiciary, issued a statement raising concerns about threats to the judiciary. The next day he was beaten in the streets by a group of men in broad daylight. Little effort was made to catch those

responsible and no arrest were ever made (ICJ, 2012). Despite the threats, the lawyers and judges did not back down. The Bar Association had 13,000 members distributed all over the island (Jayasuriya, 2017). Rajapaksa now had activists against him in every town and village. Many people, especially in rural areas, no longer had access to independent media, but Rajapaksa had now created an extensive word of mouth network aligned against him.

#### Media: Media Falls to Violence and Insolvency

Like the judiciary, the opposition media had been under pressure in Sri Lanka for a long time. The first serious threats to the media came in the 1980s when the war was used as an excuse to silence opposition voices. All throughout the war, Presidents would occasionally move to silence dissent, but Rajapaksa took the attack on journalists to a new level (DeVotta, 2010). During his Presidency, the Committee to Protect Journalists (2014) listed nine journalists murdered with complete impunity. By 2014, Rajapaksa's last year in office, Sri Lanka had risen to fourth on the violence against journalist impunity list behind only Iraq, Somalia, and The Philippines.

The most high-profile murder of a journalist during Rajapaksa's rule was Lasantha Wickrematunge, editor of the Sunday Leader, who was killed in 2009. Wickrematunga received many threats and his last editorial, written the day before he died but published posthumously, was about the dangers of being a journalist. In that editorial, he wrote "no other profession calls on its practitioners to lay down their lives for their art save the armed forces-- and in Sri Lanka, journalism" (Stone, 2014).

There were also hundreds of attacks recorded against journalists during Rajapaksa's rule. Journalists who supported Fonseka ahead of the 2010 presidential

election regularly received death threats (DeVotta, 2010). The opposition Lanke e-news offices were burned down by a mob in 2011, again with impunity (Goodhand, 2011). An associate editor of the Sunday Leader fled the country after she and her 10-year-old daughter were held a knife-point in her home for hours as assailants searched her house (Stone, 2014). During the civil war, Tamil activists were often snatched from the streets in broad daylight in white vans. Sometimes they returned after having been tortured, and sometimes they were never seen again. After the war ended, journalists and other activists suffered the same fate, a process so common it became known as “white vaning” (DeVotta, 2010). There were never any arrests or even real investigations into white van incidents.

While Rajapaksa did not hesitate to use the old-fashioned means of repression of journalists, his use of the “new” tools of repression may have been even more effective. Hundreds of journalists fled Sri Lanka or self-censored during Rajapaksa’s time in office, but a handful of brave journalists remained and continue to report despite the risks (Stone, 2014). Those journalists were then often muzzled not by white vans, but by the business of the media. As in Hungary and Venezuela, Rajapaksa and his rich allies bought out opposition papers, funneled government advertising revenues to friendly outlets, and built their own well-funded media empire (Ranawana, 2021). Even the Sunday Leader, whose opposition voice survived the murder of an editor and the exile of an associate editor, eventually succumbed to a new Rajapaksa-aligned owner who was able to eventually turn it into a government-aligned paper (Senewiratne, 2012).



## Other Variables: Other Institutions Not Necessarily Instrumentalized

Like other aspiring dictators, Rajapaksa seized control of almost all government institutions during his time in office, (ICJ, 2012) making it difficult to determine which actions were necessary. However, it is important to look at not only whether he controlled the institution, but whether it was independently instrumentalized. For example, after the war, Rajapaksa kept close control over the military, whose budget actually grew after the LTTE was defeated and the war ended (DeVotta, 2010). Like in Venezuela, Rajapaksa also began using the military for social projects and for repression. There were even indications that the white van perpetrators were military personnel (DeVotta, 2010). However, it is unlikely the use of the military for small scale development projects won Rajapaksa many votes, even in the military where there were reports that they were unhappy with being assigned such menial tasks (DeVotta, 2016). While the military was likely useful for repression, Rajapaksa would not have been able to get away with those activities unless the government already had control over the judicial sector. Money also played a factor in Rajapaksa's ability to buy off opposition, but again this was only possible when the courts ensured impunity for official corruption (Jayasuriya, 2012).

Rajapaksa also interfered with the election commission, and the 18th amendment allowed Rajapaksa to unilaterally appoint the election commissioner. However, the man he decided to appoint as commissioner was Mahinda Deshapriya, a professional civil servant who had spent his long career working for the commission. Deshapriya did experience pressure, but he generally stuck to his remit in elections (DeVotta, 2016). Overall, Rajapaksa appears to be a good example of placing the most focus on the three

independent variables: ethno-nationalist rhetoric, control over the judiciary, and control over the press.

Table 5. Rajapaksa Approach to Three Variables.

Ethno-Nationalist Rhetoric	Control of the Media	Control of the Judiciary
<ul style="list-style-type: none"> <li>• Assert a monopoly on ability to protect Sinhalese Buddhists.</li> <li>• Large focus on threat from Tamils and, to a lesser extent, Muslims.</li> <li>• Assert legitimacy by comparison to Sinhalese kings.</li> </ul>	<ul style="list-style-type: none"> <li>• Withholding of government advertising dollars to opposition media.</li> <li>• Intimidation of private businesses advertising with opposition media.</li> <li>• Buying out of opposition media outlets, often for above-market rates.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring loyal judges can be appointed directly by the ruling party.</li> <li>• Bribing and intimidating judges.</li> <li>• Controlling judicial administration to allow for judges to be promoted or transferred based on loyalty.</li> </ul>

### Turkey: Example of Secular Democratic Islam Turns Authoritarian

Ethno-Nationalist Rhetoric: AKP Shows Restraint, Then Unleashes Islamic Nationalism

Recep Tayyip Erdoğan and his Justice and Development Party (AKP) differ from the examples in the first three case studies in several important ways. First, Orbán, Chávez, and Rajapaksa began as strong leaders whose party infrastructure revolved around them from the beginning. Erdoğan led the AKP as one of a group of leaders and did not transform the party into a personalized vehicle for the first decade of the AKP

government (Carney, 2019). In addition, the early years of AKP rule were a period of strong democratic and economic reform, ushering in an unprecedented period of prosperity and optimism that earned praise from the international community (Oni, 2016). Finally, while Erdoğan and the AKP always had a nationalist identity, the party, and to a lesser degree Erdoğan himself, initially worked to downplay their nationalist identity and establish legitimacy based on good governance and policy success (Bayulgen et al., 2018).

The AKP won their first election in 2002 at the head of a broad-based coalition that promised to reverse the mismanagement and corruption of the previously years. (Sezal & Sezal, 2018) They were the first party to win an outright majority in decades and promised stability and bold reforms to push forward Turkey's long-standing European Union (EU) candidacy. Initially, they delivered on their promises (Candas 2021).

In 2002, Turkey had been a democracy for more than a half century. However, it was not a full democracy largely because its constitution gave a veto to the military. By the beginning of the 21st century, Turkey had already witnessed three military coups and at least four major attempted coups (Turkan, 2012). After the 1980 coup, the new constitution even enshrined into law the military's duty to launch a coup if democracy or secularism were threatened, and after that the military was able to force out governments on several occasions without having to resort to a full-on coup by issuing a warning memorandum (Somer, 2017). In addition to the constant threat of a military coup, there had also been a series of ineffective coalition governments that often contributed to widespread instability in Turkey (Sezal & Sezal, 2018).

Against this background, the people were ready for a change. The AKP was a new reformist Islamic nationalist party that was founded after their predecessor party, the Islamic Virtue Party, was banned by the courts under Turkey's strict secularist constitution (Sezal & Sezal, 2018). The AKP's platform included giving a voice to the "pious" (conservative) Islamic Turks who were a majority in Turkey but had largely been marginalized in politics by the strict secularism of the Kemalist elites. However, the AKP also left room in their coalition tent for a spectrum of reformers, secular or otherwise, who were tired of the status quo (Somer, 2017). Erdoğan remained the most overtly Islamic of the AKP leaders, but even he reduced his religious-nationalist rhetoric, and he was not a big factor in the campaign because he was in jail for quoting an Islamic poem at a political rally, another breach of secularism (Sezal & Sezal, 2018). After the AKP won, acting party leader Abdullah Gül formed a cabinet that reassured most Turks that the party was indeed a center-right Islamic party that had no problem sharing power with secularists.

There is broad agreement in academic circles that the twenty years of AKP rule should be divided into three phases: a democratic building phase, a serious backsliding phase, and a competitive authoritarian phase, even if there is some disagreement over when those phases begin and end (Bayulgen et al., 2018; Onis, 2016; Somer, 2017). Most say that by the time of the 2017 constitutional referendum, which established a "super-presidency" for Erdoğan, the country was competitive authoritarian or perhaps even fully authoritarian.

Even in the first phase, usually dated until 2007, there was some rhetoric that, in respect, was worrying. The party's first platform said the will of the people is supreme

and nothing that undermines that will can be tolerated, which was taken to refer to military coups but now seems to have a broader populist meaning (Massicard, 2022). Erdoğan also often spoke in terms of a battle between the “virtuous” and “pure” people engaged in an existential battle with the “elites” who had suppressed the voice of the majority of the people for too long (Massicard, 2022, p. 195). Erdoğan and another party leader, Ahmet Davutoglu, also started talking about the AKP in terms of being a continuation of the Ottoman Empire (Sezal & Sezal, 2018). Sezal & Sezal (2018) point out that defaming and delegitimizing the opposition by tying them to elites and the military was part of AKP’s strategy from the beginning.

The AKP’s democratic backsliding, and its identity politics based on ethno-nationalist rhetoric, began in earnest in 2007 with the controversial election by Parliament of Abdullah Gül to the presidency. The AKP won the 2007 Parliamentary election with an increased vote share over their 2002 win, and under the law at the time the President was chosen by a majority vote in Parliament. Under the Turkish constitution, the President was required to be neutral, an elder statesman called in to resolve disputes, and was traditionally not a member of a political party (Bayulgen et al., 2018).

The AKP’s first attempts to elect Gül failed as the only other party in the Parliament boycotted the election session, denying quorum for the vote. This initial failure led Erdoğan to unleash a heavily populist campaign asserting that the will of the majority of Parliament is the will of the people, and no rule, law, or parliamentary procedure should be put above the will of the people (Yalvac & Joseph, 2019). Erdoğan framed the battle over the presidency as the people versus the elite and said that anyone

who opposed Gül's election was an enemy of the people. Defying convention, Erdoğan did not even try to consult with the only other party in the Parliament on who to nominate as president, realizing he could get more political advantage through polarization by portraying them as urban, coastal elites that had been denying the voice of the [Islamic] majority throughout Turkey's modern history (Yalvac & Joseph, 2019).

Erdoğan followed this polarizing rhetoric with calls for snap Parliamentary elections, asking the people for enough votes to elect the President over the opposition's boycott so they could ensure that the minority could not impose their will on the majority (Yalvac & Joseph, 2019). The AKP won the election and, with the help of a party that had newly-entered the Parliament, were able to meet the quorum required to elect Gül.

At the same time Erdoğan was pushing Gül through as President, he was also maneuvering within his party to gain more direct control of the AKP. Erdoğan had nominated Gül without consulting anyone else in the party, in violation of AKP party rules, and during the campaign skillfully marginalized internal rivals and took firm control of the party (Bayulgen et al., 2018).

During the first, failed, attempt to elect Gül president, the military issued a statement warning of their duty to protect the constitution. This was the type of message that in the past had collapsed governments in a "post-modern coup," most recently in 1997 (Bayulgen et al., 2018). In this situation, the military overplayed its hand, as Erdoğan had already been stoking public fears about possible coups. The military's message was enough for Erdoğan to launch a campaign to amend the constitution to remove the clause that called on the military to protect democracy. During that campaign, in 2010, Erdoğan highlighted that the 1982 constitution was written by those responsible

for the bloody 1980 coup, and said that anyone who did not vote for the AKP was a “coup-lover” (Yalvac & Joseph, 2019). At one event, Erdoğan, crying, read the letters of young militants written just before they were executed by the military regime in 1980. He then looked up, his eyes still wet, and vowed to “bury the constitution of the coup makers in the referendum” (Yalvac & Joseph, 2019, p. 638).

Following the victory in this 2010 referendum, it became clear Erdoğan was in complete control of both his party and the government, and had returned to his roots as an Islamic nationalist. However, he had not yet established a personal monopoly on ethno-nationalism in the way that Orbán, Chávez, and Rajapaksa had done. The AKP, not Erdoğan personally, was the savior. That all began to change in 2013.

In 2012, Erdoğan announced plans to replace Gezi park, the last significant green space in central Istanbul, with an Ottoman-themed mall built by developers with close ties to the AKP. This sparked the largest anti-government protest in years. What started as a grass-roots movement to protect a park from developers grew to attract a wide range of people unhappy with corruption and the authoritarianism of the regime. At its peak, some estimate up to 2 million people took to the streets nationwide (Massicard, 2022). Erdoğan was dismissive of the protestors, despite their large numbers, saying they were not really Turkish, and that he still had the mandate of the people’s will through his majority vote. Erdoğan then ordered security forces to brutally end the protest in the park, which they did with massive amounts of tear gas and violence that left hundreds injured, many blinded, and three dead (Candas, 2021). Erdoğan bragged that he personally ordered the security forces to burn the tents of the protestors in the park (Sezal & Sezal,

2018). Somer (2017) believes this is the moment Erdoğan truly radicalized because he saw the secular protest movement as the first real threat to his authority.

The Gezi protests also took place in the context of rising tensions between Erdoğan and the Gulenist movement, longtime AKP partners who had shared the credit for defending the repressed voice of the Muslim majority (Bayulgen et al., 2018). A series of tit-for-tat attacks against each other culminated with Gulenists leaking recordings of Erdoğan discussing paying bribes with many high-ranking AKP members, including cabinet ministers, to be paid to a Turkish-Iranian businessman who was the subject of U.S. sanctions (Candas, 2021). Largely Gulenist-aligned police arrested 52 members of the AKP in the scandal, including cabinet ministers. They were then indicted by largely Gulenist-aligned prosecutors, and the cases were heard before Gulenist-aligned judges. The irony is that the Gulenists were in these positions largely because of their alliance with AKP. The Gulenists miscalculated, however, and Erdoğan not only ensured the AKP officials were released, but that all the police and prosecutors behind the arrest were either imprisoned or fired (Candas, 2021).

In the 2015 Parliamentary elections, the AKP was the largest party but the negative reactions to the government's response to the Gezi park protests contributed to the AKP failing to get a majority for the first time in its history (Oni, 2016). One of the reasons it lost votes was the rise of a party that had crossed the threshold for the first time led by a Kurdish politician who was one of the organizers of the Gezi protest after repositioning his party to go beyond ethnic Kurdish appeal and attract left-wing votes nationwide (Oni, 2016).



Unable to form a government on its own, the AKP could have returned to its previous big tent politics and easily formed a coalition government. Instead, Erdoğan decided to increase his nationalist—and anti-Kurdish—rhetoric. Refusing to form a coalition, Erdoğan did not even try to form a government, which led to snap elections. In those snap elections, AKP won back a majority by using their strong nationalist rhetoric to pull votes from nationalist parties to the AKP's right, and by raising fears of a return to the chaotic days of coalition politics (Oni, 2016). Part of the AKP messaging about coalition politics was that the country needed a clear majority to be stable, and only Erdoğan could deliver that stability.

At the same time, the AKP's feud with the Gulenists was also not over, and following a failed coup attempt in 2016, Erdoğan blamed the Gulenists for the putsch, criminalizing the organization as terrorists and completely dismantling them in Turkey (Candas, 2021). From that point forward, Fethullah Gulen, leader of the Gulenist movement, became Erdoğan's George Soros.

Erdoğan also used the victory over the coup for his answer to the Gezi protests. Erdoğan called people to the streets in a “democracy watch” to celebrate the victory over the coup plotters and defend against another coup attempt. The center of the democracy watch movement was on Taksim Square at Gezi park, reclaiming that space as a symbol of the government. During the celebratory rallies, which were broadcast nationwide and constantly posted on social media, celebrities sang songs about how Erdoğan was like a great Ottoman Sultan. Other celebrities told stories whose plot started in the 13th century and ended with Erdoğan's victory over the coup. Erdoğan pictures were displayed in the square more than AKP symbols. Some Turks (quietly) joked that one of the slogans of

the democracy watch should not be “guarding the homeland” but “guarding Tayyip” (Carney, 2019).

The next year, after several failed attempts since the AKP took power, Erdoğan finally won his referendum amending the constitution to create a strong executive president in the mode of Vladimir Putin’s Russia, an initiative he had been pushing unsuccessfully since at least 2007 when he failed in his first attempt to make Gül President (Candas, 2021). Erdoğan ran and was elected the first executive president. At his inauguration, he used the symbols and ceremonies of the crowning of an Ottoman sultan (Candas, 2021). Erdoğan’s long transition from the leader of a moderate Islamist party with secular allies to an ultra-nationalist savior ordained by history to personally deliver his people was complete.

#### Judiciary: Judges Subordinated to the “People’s Will”

The judiciary was an early target of the AKP because of the constitutionally-mandated role the judges played in ensuring that politics remained secular. It was the courts that had ordered closed the AKP’s predecessor party in 2001, and the possibility of the courts banning the AKP for being too religious was a constant threat (Sezal & Sezal). Erdoğan himself could not participate in the AKP’s first campaign because the courts ordered him jailed for quoting an Islamic poem at a political rally. Despite this animosity, in the first phase of their government, the AKP did not overtly repress or marginalize the courts while it built up its democratic bona fides, and most of the reforms that were done with the courts were at least framed as EU-driven, and were welcomed by a broad spectrum of society, including secular liberals who agreed the courts often overstepped their authority (Somer, 2017). Even in this period, there was some conflict between the

AKP and the court, such as when the court overruled the Parliament's decision to grant tax exempt status to an Islamic charity, and the Parliament then passed a law eliminating judicial review of that decision (Massicard, 2022). Overall, it was clear to the AKP there could be no Islamic polity in Turkey, no matter how moderate, if the courts continued to make strict secular rulings. However, for the most part, during this first phase the AKP was content to slowly transform the court by making more Islamic-friendly appointments as positions opened (Sezal & Sezal, 2018).

When the AKP brought their initial democratic period to a close in 2007, the courts were the first and most important enemy they took on (Yalvac & Joseph, 2019). When Erdoğan initially named Gül as President and the courts ruled for the opposition that a President could only be appointed during a Parliamentary session that had quorum, an incensed Erdoğan called the decision a “bullet fired on democracy” (Yalvac & Joseph, 2019). Erdoğan referred to the courts as the “enemy of the people” and vowed that he would not let any institution interfere with the people's will, rhetoric that not only sought to delegitimize the courts but also to put the courts in the same category as the military, drawing a connection between the court's judgement and military coups (Yalvac & Joseph, 2019).

The anti-court rhetoric, and the AKP's appointments of loyalists, eventually wore down the independent judiciary, and by 2008 the AKP had enough control to use the courts to start going after their next enemy, the military (Bayulgen et al., 2018). The AKP launched a series of political trials against the military for alleged coup plots with 400 officers arrested, including 37 generals. By 2013, more than 10% of the country's

generals and admirals were being tried in the courts for trying to overthrow the government (Bayulgen, et al., 2018).

In the 2010 constitutional referendum that ended the military's institutional responsibility to guard democracy and secularism, Erdoğan included a provision that allowed him to unilaterally appoint all senior judges (Yalvac & Joseph, 2019). Candas (2021) notes this was the end of judicial independence. Candas adds that judicial efficacy was then ended in 2012 when the AKP responded to a court investigation into an AKP corruption charge by passing a law saying the courts could not even investigate this specific charge without explicit approval of the Prime Minister. When this succeeded, the impunity for Erdoğan and his AKP was fully institutionalized. In 2013, once the courts were completely under control, Erdoğan, who had moved from Prime Minister to President in anticipation of the change to an executive presidency, began acting like an executive president, running cabinet meetings, hiring and firing ministers, and ruling by decree—all actions forbidden for the president by the constitution—until his constitutional amendments on the executive presidency formalized what he was already doing (Bayulgen et al., 2018).

#### Media: Media Controlled through Money, Then Violence

The AKP began pressuring the press as soon as it took office, but from 2002-2011 they used what Turkan (2012) called “disguised pressure.” In the 1990s, before the AKP even existed, the media environment in Turkey had already started to shift from media outlets owned by generations of families who saw themselves as journalists first to being owned by media conglomerates who operated the media outlets for profit (Turkan, 2012). This crowded out small and local media outlets, which were often replaced by media

monopolies. The switch was not all negative, as newspapers that had previously been highly partisan became more balanced as they sought to appeal to a wider, more general audience to increase circulation. When AKP took power, they did what all ruling parties in Turkey had done and began to build their own media structures (Turkan, 2012). This included having rich associates buy out media outlets, coopting media barons who did not want to sell, and depriving opposition papers of government ad revenues (Sezal & Sezal, 2018).

In 2007, just as the AKP began cracking down on judges, it also started going after media outlets more aggressively. This included revoking broadcasting licenses, defaming journalists, and bringing fabricated charges against recalcitrant reporters. These threats had a direct effect, but also indirectly led to high levels of self-censorship (Bayulgen et al., 2018). By 2011, whatever was left of “disguised pressure” was out in the open and the AKP began to actively persecute journalists. In February and March of 2011, police raided the homes of nine journalists that the AKP said were linked to a coup plot. The police also seized an unpublished book by one of the journalists, saying that it incited hatred and treason. Eventually a total of 12 journalists were arrested for the alleged plot (Turkan, 2012). That year, Freedom House ranked Turkey 112th in media freedom, and noted that over 60 journalists were in prison for their work (Turkan, 2012). By 2016, Turkey had become the top jailer of journalists in the world, with 81 according to the Committee to Protect Journalists (Bayulgen et al., 2018). At one point, Erdoğan also fined a media outlet a record \$2.5 billion in punitive tax penalties (Yalvac & Joseph, 2019). After 2016, the space for free media had unambiguously closed.

At the same time he was silencing opposition media, Erdoğan was effectively using friendly media to forward his objectives. Erdoğan's use of the media surrounding the democracy watch celebrations demonstrated his savvy (Carney, 2019). At the beginning of the democracy watch, Erdoğan successfully used the media to get people out on the streets, and to shape the narrative that the celebration was all about him and his personal victory over the coup.

At the Taksim square rally, next to the stage, he had erected a huge selfie screen that periodically took and displayed pictures of the crowd and posted those pictures on social media to show the popularity of his democracy watch (Carney, 2019). Everything on the square was carefully choreographed to maximize how it would look on a screen. This included barriers around the stage that were adjusted to make sure the square always looked packed on camera no matter how many people were there. Through these efforts, Carney explains that Erdoğan demonstrated he clearly understands that the public square of discussion has been replaced by the public screens that defy interaction but can be made to create their own reality that support political aims.

Other Variables: Consensus that Other Variables are Negligible

While several of the studies cited discuss AKP's control over the electoral system and some election irregularities, even these studies agreed electoral control was not a significant factor in AKP holding power (Bayulgen et al., 2018; Candas, 2021; Yalvac & Joseph, 2019). Like in the other case studies in this thesis, the AKP staked their legitimacy on holding a majority of votes, so excessive election manipulation would undermine that argument.

The academics note that the AKP was often helped by the high threshold for entering Parliament, 10%, which reduced competition and allowed them to get a majority of seats without a majority of votes. For example, in their first election, the AKP won a clear majority while only getting 33% of the vote because only one other party crossed the threshold (Sezal & Sezal, 2018). While this system was an advantage, it was set up long before the AKP took power by military administrators who were afraid of the instability of multiple small parties in a coalition government, so it is difficult to blame them for it. The AKP benefited from this existing system, but did not do anything to change it once in power to give them a larger advantage.

There were two times when the AKP blatantly used its influence with the election board in an attempt to ensure victory. One time it was clearly unsuccessful, but it may have been successful the second time. The first instance was in 2019, when AKP lost the municipal election in Istanbul and then had the election board invalidate and rerun the election. In this case, the results of the second election were the same and AKP lost again (Candas, 2021). The second instance, in 2017, Erdoğan only narrowly won the referendum that established the executive super-presidency with 51.4 percent. In this instance, the election included enough claims of irregularities, which the partisan election board ignored, that there were legitimate doubts about whether the vote reflected the will of the people (Candas, 2021).

Beyond discussions of electoral board control, few articles on Turkey raise factors other than the three main independent variables. Several articles have used Turkey as a case study for more generalized theory on backsliding, and their generalized theory largely follow the same lines as my theory. For example, Sezal & Sezal (2018) say that

four factors have been necessary and sufficient for the AKP: courts, rhetoric, media, and social programs (including cash). The first three are the same variables as my theory. I would argue the fourth is either a legitimate governing strategy used by all governments to get votes if there is equal access to services, or it is corruption if it is targeted as clientelism, in which case this should be guarded by an independent judiciary.

Bayulgen et al. (2018) go into more detail on their generalized theory, which is also compatible with my theory, but uses a different framing. They talk about three factors that enable backsliding: centralization, legitimation, and repression. Under legitimation, Bayulgen et al. explain there are two ways for a regime to legitimate itself: transactional legitimation and ideological legitimation. Transactional legitimation is essentially staying in power because people believe you are doing a good job and delivering for them. This was the strategy that the AKP used through 2007. Ideological legitimation is the same as what I call ethno-nationalist rhetoric. They note that ideological legitimation, once established, is more stable than transactional legitimation because in transactional legitimation the government must continuously do a good job to maintain legitimacy. For repression, Bayulgen et al. focus on repression of the media and repression of the courts, which mirrors my theory.

The biggest difference is that Bayulgen et al. also adds the variable of centralization, which refers to the accumulation of greater and greater power to the executive. I would argue that centralization is the result of the strategies explained earlier, an effect rather than a cause or a separate strategy. Bayulgen et al.'s data bear this out, as the examples of centralization were steps enabled by Erdoğan's popularity (a result of rhetoric and media control), his control over the judiciary, or both.



Table 6. Erdoğan Approach to Three Variables.

Ethno-Nationalist Rhetoric	Control of the Media	Control of the Judiciary
<ul style="list-style-type: none"> <li>• Assert a monopoly on ability to protect non-secular Muslims.</li> <li>• Large focus on threat from secularists and urbanites.</li> <li>• Assert legitimacy by comparison to Ottoman caliphs.</li> </ul>	<ul style="list-style-type: none"> <li>• Controlling regulatory body and using excessive fines or licensing withholdings to opposition media.</li> <li>• Withholding of government advertising dollars to opposition media.</li> <li>• Intimidation of private businesses advertising with opposition media.</li> <li>• Buying out of opposition media outlets, often for above-market rates.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring loyal judges can be appointed directly by the ruling party.</li> <li>• Amending laws and/or constitution to limit judicial review of key legislation.</li> </ul>

## Chapter V.

### Conclusion

The results of this plausibility study are promising. All three independent variables were present in the four case study countries. Furthermore, the process tracing in the case studies seems to support the theory that ethno-nationalist rhetoric allows political leaders to command support independent of their specific policies or the effectiveness of those policies. Once the rhetoric was established, all four of the aspiring dictators turned to controlling the media and preventing judicial review to help maintain popularity by preventing competing narratives from taking hold.

Asserting that controlling the media and judicial are necessary is largely non-controversial in the literature. The critical role of ethno-nationalistic rhetoric is not as well-established, but there is still a significant body of work on this subject. My theory is not novel in what it includes, but what it excludes. While these factors are widely accepted as aspects of democratic backsliding, I am asserting that they are both necessary and sufficient for such backsliding to take place, that if these factors are present, backsliding will take place, and if they are absent significant democratic backsliding is unlikely, even if there are other factors working to contribute to democratic decline. This is not only the most controversial aspect of the theory, but the hardest to prove both because it can involve proving a negative, and because aspiring dictators are likely to go beyond the “minimum,” so other variables are likely to be present in every case even if they are not strictly necessary.

## Why is Rajapaksa Different?

Sri Lanka is an interesting case because all three variables were present to some degree for at least as long as the war, but significant backsliding did not occur until Rajapaksa took office. However, going beyond just the binary presence or absence of the variables, the case study research showed there was a qualitative and quantitative difference between Rajapaksa and his predecessors with regards to all three variables. There were restrictions on the media during the war, and even some pressure, but opposition media still had space to report and, most significantly, were not subject to high level of violence. For decades, judges had been appointed with little consultation, experienced political pressure, and frequently ruled for the government, but Rajapaksa, through the 18th amendment, made it so he could appoint judges unilaterally, increased pressure, and permitted violence against dissenting judges.

The most interesting difference between Rajapaksa and the Sri Lanka leaders that came before him is the change in the approach to his ethno-nationalistic rhetoric. Ethno-nationalist rhetoric had been at the core of virtually every political leader's identity in every major party since independence. Throughout Sri Lanka's history, election candidates consistently tried to outbid each other to show who was the biggest anti-Tamil Sinhalese Buddhist nationalist (DeVotta, 2014). Rajapaksa's most novel innovation was to make it personal and specific to him. He was not just an anti-Tamil Sinhalese Buddhist, he was the only anti-Tamil Sinhalese Buddhist that could save the people from the Tamils, the Muslims, and the Westerners trying to destroy Sri Lanka. Like the other three leaders in this study, he worked to convince people that he was the only one who could fix the country's problems.

Rajapaksa also stands out because he is the only one of the four leaders in this case study that has, to date, lost power through elections. His election loss highlights two interesting points. First, the fact that he lost after losing control of the judiciary, with virtually every other factor a constant from when he was successful, is support for the argument that control over the judiciary is a necessary variable. Second, Rajapaksa lost control of a judiciary that he had successfully managed because he went too far for even the judges that he appointed and were beholden to him, suggesting that authoritarianism may have its limits in hybrid regimes.

#### Next Steps to Develop a Generalized Theory

As this thesis is a plausibility probe, it cannot by itself make the case for the theory, and much more work will have to be done to determine if the theory could become accepted. All three of these variables would have to be shown to be present in a large number of cases of democratic backsliding, and that there are no cases of democratic backsliding where any of these three factors are absent.

To continue this research and further develop this theory, it will be necessary to determine at what level the variable becomes significant, rather than just present, as the latter would almost certainly include many false-positives. However, since one of the primary utilities for practitioners of a generalized theory of backsliding is as an early-warning system, just watching those factors and prioritizing early intervention in those fields even when they are merely present may be helpful.

Excluding electoral manipulation as one of the necessary independent variables is one of the most novel aspects of the theory. Manipulation of the electoral system was present in all the case study countries to some degree. All the cases in the study may have

worked to manipulate the electoral system to some degree, but under my theory they would not be required to do that. The theory states that ethno-nationalist rhetoric can be sufficient for building adequate support for winning a popular election, and that controlling the media and the judiciary would allow the political leader to continue winning the election even if they did not manipulate the electoral system.

Including manipulating the electoral system as an independent variable creates a high risk of a false-negative. If the ethno-nationalist rhetoric, control of media, and control of the judiciary really is sufficient, an aspiring dictator could utilize those tools, not manipulate the electoral system, and claim this proves they are not an aspiring dictator. All four of the leaders in the case studies in this thesis have responded to criticism on democratic backsliding by pointing to their popularity within their country and ability to garner the largest share of the votes.

It is possible that the political leaders in these examples exercised some control of the electoral system as a form of insurance policy, but that it was not necessary. Did Mahinda Rajapaksa, the only leader included in this study who was removed by a democratic process after beginning his turn towards authoritarianism, lose the election because he lost control of the judiciary, or did he lose because he failed to sufficiently control the electoral system? It is impossible to tell from this study, and may be impossible to conclude definitively in any study. Because electoral manipulation was present in all the cases included in this case study, it cannot be ruled out as a necessary independent variable at this time.

#### Areas of Further Research

A wider, more detailed process-tracing case study with countries that were not selected on the dependent variable could help support this theory further. This should include hybrid democracies where there has been no backsliding and perhaps even autocracies and full democracies as comparisons. The most pressing issue is to try to establish whether electoral manipulation is, in fact, necessary. If it is necessary, that would be a tremendous advantage because, as explained above, electoral manipulation is relatively easy to recognize (Roussias & Ruiz-Rufino, 2018).

Even if all three variables are shown to be present in almost all cases of democratic backsliding, it is possible one or more of them are optional, something aspiring dictators always do out of an abundance of caution but is not really necessary. It is also possible that some combination of independent variables is necessary, but which variables within the set are not important; that any combination of three (or two or four) variables within a larger set can lead to democratic backsliding. This should be explored and, if my theory is correct, ruled out.

However, the results of this plausibility probe are promising enough that in addition to broader case studies, it may be worthwhile to move to testing the hypothesis against a large-N study of democratic countries at the same time as the process tracing research. Coding for judicial independence and control of the media would be relatively easy, as there are many well-established databases that track these variables, including the ones used to select the case studies in this thesis. Coding for a nationalist messaging would be more difficult. Many democratic parties use ethno-nationalist rhetoric, particularly around elections, but for it to be included under my hypothesis, it would have to be the primary reasons for the aspiring dictator's support. The line between using some

degree of ethno-nationalist rhetoric and making it the focus of the platform is more subjective and would have to be well defined and researched before coding each country. The same issue goes for determining at what level each variable becomes significant, rather than just present.

Another challenge for a large-N study is the danger of collinearity based on the fact that control over the media and control over the judiciary can be both a cause and effect of democratic backsliding. Examining electoral manipulation as an independent variable in a quantitative study based on this framework would also be difficult because the presence of competitive elections is included as one of the four characteristics in the definition of democracy being used and therefore cannot be separated from the dependent variable. As discussed in the literature review, much of the academic work on democratic backsliding has avoided these issues by discussing both cause and effect together or not distinguishing between the two. Any large-N case study would have to be carefully designed to ensure that the level of democracy and the change in democracy are not measured by criteria that includes independence of the judiciary and independence of the media. In addition, electoral manipulations would have to be measured by actions taken by the aspiring dictator to control the electoral system and not solely based on whether the elections were competitive, as “competitive elections” are included in the definition of the dependent variable.

There is nothing in the theory that inherently limits it to hybrid regimes. These factors may also be necessary and sufficient in well-established democracies, although the strength of institutions within a well-established democracy would likely lead, at a minimum, to different dynamics around the independent variables. I narrowed my set to

hybrid regime because they are easier cases and more likely to have a greater variance over a shorter period of time. Additional studies could explore whether the independent variables are present in more developed democracies, and the ways in which the process of democratic backsliding may be different.

### Implications of a Generalized Theory

A parsimonious theory that can be generalized across a broad number of cases would undoubtedly be useful to help early identification of countries at a high risk for democratic backsliding, and help focus limited resources on the most critical institutions for preventing backsliding. For example, since an increase in ethno-nationalistic rhetoric was the first step in all four cases studies and would typically be an early step in all cases under the theory, then political rhetoric should be monitored closely and a significant shift to nationalism should be an early warning sign and call to action. Furthermore, if this theory is correct, then whenever all three of the independent variables are present, it would be the time for both domestic and international actors to take more serious action even if other institutions, like the electoral system, remain intact.

Rather than a broad approach of trying to arrest backsliding on all fronts, the theory suggests efforts can be directly largely to protecting media freedom and supporting the judiciary in a way that helps it maintain its independence. What is most novel about this theory is not the inclusion of these elements, but rather the exclusion of others. If it is true that an aspiring dictator needs control of the media and the courts, and the backsliding will fail without those elements, then resources can be redirected from other efforts to those efforts. Countering ethno-nationalist rhetoric may be more difficult, as it is more abstract, but if it is detected, domestic and international democratic



defenders should take ethno-nationalist rhetoric seriously and work to counter that rhetoric early before it takes hold. The tools developed to counter Russian and other malign propaganda and far-right extremism should also be applicable in these circumstances.

Whether this theory is correct or not, I believe it establishes a solid framework to shape the discussion and creates a path for future study. Democratic backsliding is a pressing political issue and has reached the point where it presents a threat to the political-economic liberal world order that, while not perfect, has brought unprecedented prosperity, freedom, and stability over the past 70 years. Understanding backsliding and finding a way to better defend and promote democracy is one of the most critical challenges of our time.

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