Shadows of the Authoritarian Past

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PANEL 3:

How Autocracies Live and Die

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ABOUT THE CONFERENCE:

"The Autocratic Challenge to Liberal Democracy and the Future of Global Development: The World 20 Years After the Founding of CDDRL" was a one-day workshop examining the state of democracy and development today held on November 4, 2022, in celebration of CDDRL's 20th anniversary.

The workshop brought together current and former CDDRL scholars to understand the causes and consequences of these global challenges, and to advance a research agenda that can underpin an era of democratic renewal.

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SHADOWS OF THE AUTHORITARIAN PAST

Authoritarian regimes do not die quickly. Most new democracies, and some more established democracies, live under the shadows of the authoritarian past. That is in part because efforts at transitional justice and lustration, which seek to reconcile with and mitigate the influence of the authoritarian past, are often absent in new democracies that follow directly from an authoritarian regime.\(^1\) Even when present they are typically partial.\(^2\) In other cases, new democracies are saddled with baggage from their experience under the thumb of a colonial occupier or predecessor state. These experiences are often also authoritarian in nature. Precious few democracies start off as a blank slate.

In what follows, I lay out several main logics for why authoritarian shadows endure under democracy and then detail the principal shadows and their prevalence.

Logics Driving Authoritarian Legacies Under Democracy

There are several logics that can drive authoritarianism to persist beyond the demise of an authoritarian regime and the transition to democracy. These range from the putatively less pernicious and cynical logics of political necessity or expediency to the bald-faced attempts of former authoritarians to push their way onto the democratic stage as a way to advance their interests at the expense of political opponents.

**Authoritarians as Experts in Democracy.** Many authoritarians gain expertise on the job. Cabinet officials manage complex portfolios of work. Party members and bureaucrats learn how to run the state. Legislators learn how to craft policy and write legislation. Some may actually be effective at their jobs. For instance, some former authoritarians have a record of prudent economic management. At the same time, of course, authoritarian regimes edge out political competition. Political opponents do not have access to the same posts and responsibility and therefore may lack certain specialized forms of expertise immediately after democratic transition. This can make authoritarians relatively more attractive to retain on the scene for voters who view the alternative as incompetence or chaos. That can generate a “hangover effect” for authoritarians that stick around because they are effectively the only game in town for certain positions under democracy. And if these authoritarians do not rule as new democratic officials would, then democracy carries shadows of the authoritarian past.

**Protecting Authoritarian Interests.** More frequently than simply serving democracy in its infancy, authoritarians explicitly seek to influence democracy as a way to protect and advance their interests. All authoritarians want to at least play defense under democracy. That is, they seek to avoid punishment for any potential misdeeds from the authoritarian past. That includes avoiding fines, jail time, exile, and even capital punishment. These are the worst nightmares for former authoritarians. But severe punishments are not their only concerns. Former authoritarians also want to protect their career trajectories, reputations, and economic fortunes. That means avoiding bans on their movements and opportunities (such as bans from holding future office) as well as winning protections for their property and businesses. If they are successful in winning

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these protections, it can seriously hamstring democracy by limiting certain public policies such as wealth redistribution and leaving powerful political and economic actors with the resources and networks they rely on for influence.

Advancing Authoritarian Interests. In their ideal world, most authoritarians prefer to go on offense under democracy. The uncertainties and potential threats inherent to a transition itself are strong catalysts to motivate authoritarians to act, often collectively, to advance their interests in a new democratic setting. That can include winning new posts under democracy, amassing larger fortunes, and pushing policy in their favor and against their democratic opponents. Most authoritarians are seasoned political fighters, and democracy is merely a new arena in which they compete to win influence and achieve their aims. When they are effective, they can heavily bias policy toward the interests of former authoritarians through policies like limiting state size and autonomy, keeping taxes low and spending skewed toward themselves and their allies, amplifying their political voice through lax campaign finance and spending laws, and restricting political voice for their opponents through laws and practices that raise barriers for common people to vote and to mobilize politically.

Authoritarian Shadows in Democracy

Shadows of the authoritarian past can live on in a variety of ways under democracy. Scholars in recent years have documented these shadows in much more systematic ways than ever before. The findings reveal how complicated it is for democracies to entirely escape the grasp of authoritarianism. Doing so takes time and deep transformations that disrupt the strong roots of authoritarianism. This helps to explain to a considerable degree why many new democracies underperform compared to popular expectations for progressive change toward greater government responsiveness and inclusivity.

We can group authoritarian shadows into two broad groups: shadows that are readily observable and shadows that are much harder to discern.

Shadows in the Light of Day

Authoritarian Successor Parties. Dominant ruling parties under authoritarianism can often lean on their reputations, linkages with voters, and organizational strength to continue winning office under democracy. Parties can advance authoritarian interests under democracy both where they have impressive records of performance, like state-led economic growth in East and Southeast Asia, and where parties have been largely discredited but retain organizational advantages over their competitors, as in East Central Europe in the aftermath of the collapse of communism. Authoritarian political parties are common, especially in more contemporary era in which most authoritarian regimes conduct elections. Over two-thirds of all Third Wave democracies across

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the globe have had an authoritarian successor party competing for power, whether a former ruling party or a last-minute spinoff party from the transitional period itself. Many of these, though not all, have retained influence by capturing important positions in the executive, legislature, or subnational offices.

*Authoritarian Constitutions.* Most democracies are not founded by the people but rather by powerful outgoing authoritarian regimes whose interests are often diametrically opposed to those of future voters. Almost 70 percent of countries that transitioned to democracy after WWII have done so under authoritarian constitutions. Furthermore, roughly a third of the world’s democracies today operate under authoritarian constitutions. Authoritarian elites design democratic institutions and rules to protect their rights and vital interests and to give themselves an unfair advantage over politics and the economy after democratization. This can include legal immunities from past actions, skewed electoral rules, checks and balances designed to impede major policy changes instead of to promote accountability, supermajority thresholds for constitutional change that make it nearly impossible to withdraw advantages designed for elites, selective political party bans, strong forms of federalism, and limits on the popular initiation of legislation. These founding flaws distort the structure of decision-making under democracy and condition the likelihood and nature of reforms that occur in the future.

*Authoritarian Elite Returns to Powerful Positions in Democracy.* Former authoritarian elites can influence democracy even in the absence of — or in addition to — authoritarian parties and constitutions by capturing powerful positions in the executive, legislature, judiciary, military, state-owned companies. Authoritarians who participate in democratic politics can use authoritarian-era clientelistic and patronage practices that distort representation and the free expression of citizen preferences. These elites often support antimajoritarian institutions, electoral rules, and public policies and seek to limit accountability for the authoritarian past. And their return to positions of political and economic prominence raises conflict of interest concerns regarding the political past and “revolving doors” issues tied to the relationship between business and politics, at least to the same degree as for democratic elites. Scholars know comparatively little about what happens to former authoritarian elites under democracy, let alone lower-level actors in the bureaucracy or security forces. Evidence from Latin America since 1900, however, paints a dire picture: the top echelon of former authoritarian elites were four times more likely to return to positions of political or economic power under democracy than to be punished for their misdeeds.

*Subnational Authoritarian Enclaves.* Former authoritarian elites with high-level national political

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6 Loxton, James. 2018. “Introduction: Authoritarian Successor Parties Worldwide.” In James Loxton and Scott Mainwaring, eds., 2018. *Life after dictatorship: Authoritarian successor parties worldwide.* Cambridge University Press. This figure on the prevalence of authoritarian successor parties is likely an undercount because it does not include so-called “reactive” successor parties like the XX in Chile that form and gather together authoritarian-era elites entirely after the demise of dictatorship.


posts can turn can train their sights on powerful local offices under democracy such as governorships and mayorships. There they can establish subnational authoritarian enclaves where electoral competition and citizen voice are weak. They can also work with local or state police to perpetuate immunity for abuses of power. And they can work to rebuff or scuttle attempts at political change from the central government. Many new democracies, such as those in Mexico, South Africa, and Peru have struggled with subnational authoritarianism. The same is true in the southern United States between the time Reconstruction ended and the civil rights legislation in the 1960s.

**Shadows in the Dark**

*Military Vetoes.* Militaries are key to sustaining all authoritarian regimes because of their coercive capacity. They can also threaten new democracies or limit their authority. Powerful militaries can manipulate the terms of transition in their favor and then maintain resources and autonomy post-transition to protect their interests. In select cases they can assert veto power in policy domains unrelated to the military. Furthermore, the threat of military reintervention can “discipline” a new democratic regime and cause it to shy away from pursuing transitional justice. Military vetoes over the actions and policies of new democracies become evident when threats are made public but are otherwise hard to observe. Evidence from Latin America since 1900 suggests that slightly over one-fourth of flawed, imperfect democracies face military vetoes in policy areas that should ostensibly be under civilian control.

*Authoritarian Elite Networks of Influence.* Authoritarian elites that survive the transition to democracy can influence its quality above and beyond their individual actions and the raw tally of their numbers by relying on collective networks of influence to coordinate or even merely interact in ways that undermine democracy. This influence is broadest when it is spread across state and government institutions. In other words, regardless of whether elites are organized in an authoritarian successor party or democracy operates under holdover authoritarian institutions, and apart from their raw numbers, greater breadth of authoritarian influence and interaction across various institutions has more pernicious consequences for democracy than intra-institutional elite interaction. It is reasonable to suspect that these networks of influence perpetuate themselves through the friends and allies of former authoritarians and that they can even outlive them as successors replace them in the network, though there is little research on this per se.

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Since 2002, the Center on Democracy, Development and the Rule of Law (CDDRL) at Stanford University has collaborated widely with academics, policymakers and practitioners around the world to advance knowledge about the conditions for and interactions among democracy, broad-based economic development, human rights, and the rule of law.

CDDRL bridges the worlds of scholarship and practice to understand and foster the conditions for effective representative governance, promote balanced and sustainable economic growth, and establish the rule of law. Our faculty, researchers, and students analyze the ways in which democracy and development are challenged by authoritarian resurgence, misinformation, and the perils of a changing climate.

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